



**Public Inquiry Into Foreign Interference in Federal
Electoral Processes and Democratic Institutions**

**Enquête publique sur l'ingérence étrangère dans les
processus électoraux et les institutions démocratiques
fédéraux**

Public Hearing

Audience publique

**Commissioner / Commissaire
The Honourable / L'honorable
Marie-Josée Hogue**

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II Appearances / Comparutions

| | |
|---|--|
| Commission Lead Counsel / Procureure en chef de la commission | Shantona Chaudhury |
| Commission Counsel / Avocat(e)s de la commission | Gordon Cameron Erin Dann Matthew Ferguson Hubert Forget Leila Ghahhary Benjamin Herrera Howard Krongold Hannah Lazare Jean-Philippe MacKay Kate McGrann Emily McBain-Ashfield Hamza Mohamadhossen Lynda Morgan Siobhan Morris Annie-Claude Poirier Gabriel Poliquin Natalia Rodriguez Guillaume Rondeau Nicolas Saint-Amour Daniel Sheppard Maia Tsurumi |
| Commission Research Council / Conseil de la recherche de la commission | Geneviève Cartier Nomi Claire Lazar Lori Turnbull Leah West |
| Commission Senior Policy Advisors / Conseillers principaux en politiques de la commission | Paul Cavalluzzo Danielle Côté |

III

Appearances / Comparutions

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| Commission Staff / Personnel de la commission | Annie Desgagné Casper Donovan Hélène Laurendeau Michael Tansey |
| Ukrainian Canadian Congress | Donald Bayne Jon Doody |
| Government of Canada | Gregory Tzemenakis Barney Brucker |
| Office of the Commissioner of Canada Elections | Christina Maheux Luc Boucher Sébastien Lafrance Nancy Miles Sujit Nirman |
| Human Rights Coalition | David Matas Sarah Teich |
| Russian Canadian Democratic Alliance | Mark Power Guillaume Sirois |
| Michael Chan | John Chapman Andy Chan |
| Han Dong | Mark Polley Emily Young Jeffrey Wang |
| Michael Chong | Gib van Ert Fraser Harland |

IV Appearances / Comparutions

Jenny Kwan

Sujit Choudhry

Mani Kakkar

Churchill Society

Malliha Wilson

The Pillar Society

Daniel Stanton

Democracy Watch

Wade Poziomka

Nick Papageorge

Canada's NDP

Lucy Watson

Conservative Party of Canada

Nando De Luca

Chinese Canadian Concern Group on
The Chinese Communist Party's
Human Rights Violations

Neil Chantler

David Wheaton

Erin O'Toole

Thomas W. Jarmyn

Preston Lim

Senator Yuen Pau Woo

Yuen Pau Woo

Sikh Coalition

Balpreet Singh

Prabjot Singh

Bloc Québécois

Mathieu Desquilbet

Iranian Canadian Congress

Dimitri Lascaris

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Ottawa, Ontario

--- L'audience débute le mercredi 16 octobre 2024 à 9 h 33

--- The hearing begins Wednesday, October 16, 2024 at 9:33
a.m.

THE REGISTRAR: Order, please. À l'ordre,
s'il vous plaît.

This sitting of the Foreign Interference
Commission is now in session. Commissioner Hogue is
presiding.

Cette séance de la Commission sur l'ingérence
étrangère est en cours. La commissaire Hogue préside.

The time is 9:33 a.m. Il est 9 h 33.

COMMISSAIRE HOGUE: Alors, bonjour tout le
monde.

Bonjour, Monsieur le Premier Ministre.

Maître Chaudhury, alors, c'est vous ce matin
qui débutez?

Me SHANTONA CHAUDHURY: Oui, c'est moi.

COMMISSAIRE HOGUE: Alors, à moins qu'il y
ait de la cuisine, je vous invite à procéder immédiatement
avec l'interrogatoire.

Me SHANTONA CHAUDHURY: Parfait. Merci, Madame
la Commissaire. Oui, c'est Shantona Chaudhury pour la
Commission.

Good morning. As you've said, our witness
this morning is the Prime Minister, Justin Trudeau.

I'll ask that the witness be sworn or
affirmed.

1 **LE GREFFIER:** OK.

2 Monsieur le Premier ministre, pourriez-vous,
3 s'il vous plaît, indiquer votre nom complet et puis épeler
4 votre nom de famille pour la transcription sténographique.

5 **RT. HON. JUSTIN TRUDEAU:** Justin Trudeau – T-
6 R-U-D-E-A-U.

7 **LE GREFFIER:** Parfait. Et maintenant, pour
8 l'assermentation.

9 **--- RT. HON. JUSTIN TRUDEAU, Sworn/Assermenté:**

10 **LE GREFFIER:** Parfait. Merci beaucoup.

11 Maître vous pouvez procéder.

12 **--- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR**

13 **MS. SHANTONA CHAUDHURY**

14 **Me SHANTONA CHAUDHURY:** Merci.

15 Good morning, Prime Minister. As usual,
16 we'll start the morning with the routine housekeeping, so we
17 have three interview and examination summaries to enter into
18 evidence.

19 Rather than going on by one, I'll just read
20 out the Doc IDs and ask you to confirm them.

21 So the Doc IDs are WIT106, which is the PM's
22 Stage 2 interview summary, WIT164, which is the Prime
23 Minister's Stage 2 *in camera* hearing summary, and WIT160,
24 which is an addendum to the Prime Minister's Stage 1 *in*
25 *camera* hearing summary.

26 So Prime Minister, I'll ask you to confirm
27 that you've reviewed these documents, that they are accurate
28 and that you adopt them as part of your evidence before the

Commission.

RT. HON. JUSTIN TRUDEAU: I have, they are,
and I do.

--- EXHIBIT NO./PIÈCE No. WIT0000106.EN:

Interview Summary: The Right
Honourable Justin Trudeau

--- EXHIBIT NO./PIÈCE No. WIT0000106.FR:

Résumé d'entrevue : Le très honorable
Justin Trudeau

--- EXHIBIT NO./PIÈCE No. WIT0000164:

In Camera Examination Summary: The
Right Honourable Justin Trudeau,
Prime Minister of Canada

--- EXHIBIT NO./PIÈCE No. WIT0000160.EN:

Addendum to In Camera Examination
Summary: Prime Minister Justin
Trudeau

--- EXHIBIT NO./PIÈCE No. WIT0000160.001.FR:

Addenda au résumé d'interrogatoire à
huis clos : le premier ministre
Justin Trudeau

MS. SHANTONA CHAUDHURY: Okay. And of
course, with the caveat these are publicly disclosable
summaries of proceedings that took place in a classified
space.

Okay. So we have two hours this morning and
quite a lot of material to get through. We'll start with
some things with which you're quite familiar already,

1 information flow to the Prime Minister.

2 So I'll ask you to start with the mechanics
3 of information flow. In Stage 1 of the Commission's
4 proceedings, you told us that you would receive intelligence
5 in writing daily or weekly, but that the primary way of
6 informing you by the NSIA and the intelligence community if
7 they really wanted you to know something would be by briefing
8 you orally.

9 And we understand that since then, there have
10 been some changes to the system, so can you explain how you
11 now receive intelligence, what the changes have been and any
12 benefits or drawbacks?

13 **RT. HON. JUSTIN TRUDEAU:** Over the -- through
14 the first years that I was Prime Minister, I received, as you
15 say, daily or weekly summaries or snippets prepared for the
16 Prime Minister and the office and when things were put in
17 front of me, I would read them. But as you say, most of the
18 time, the more serious information would be briefed in person
19 with the National Security Advisor at that point.

20 Through the pandemic, things changed through
21 the work that we've done significantly through both
22 Commissions, but also through complex times, we've settled on
23 a new model where about once a week, usually on Monday
24 mornings, I receive a package of secure information with a
25 national security officer in the room with me to oversee and
26 handle the documents where I go through both summaries and,
27 in some cases, a certain amount of more detailed raw material
28 or at least primary analysis.

1 It takes me about 45 minutes to an hour on
2 given days, and that's sort of the regular baseline. Some of
3 it is incredibly highly classified, some of it is slightly
4 more routine.

5 But on top of that, usually at least once a
6 week, I end up sitting down in a secure room with advisors
7 and officials to talk through some of the more germane or
8 difficult or contentious or urgent intelligence that is being
9 worked on or received at any given moment.

10 **MS. SHANTONA CHAUDHURY:** Okay. And how's the
11 new system working for you, so the weekly reading period plus
12 the briefings?

13 **RT. HON. JUSTIN TRUDEAU:** It is working well.
14 The consuming of information in that weekly briefing is
15 really just that. I will sometimes ask for follow-up
16 questions on this issue or that issue or verify that, okay,
17 this seems very serious, you know, reassure me that everyone
18 is taking this very seriously and acting on it. And the
19 Client Relations Officer, or CRO, will do that.

20 But if there are specific questions I have
21 for the Client Relations Officer, usually they will be
22 answered to me in the next meeting I have with the NSIA or
23 sometimes there will be an addendum or a specific document
24 that will be handed to me the following week in answer to the
25 questions I have.

26 In general, I tend to prefer to be able to
27 challenge and ask questions right away of the NSIA, of people
28 in positions of authority or power to be able to -- or

1 influence over the actual collection and operations, to be
2 able to ask them for more details than sometimes comes out,
3 so I tend to prefer those in-person briefings, but having
4 that baseline of a weekly session with a vast range of
5 information is very useful.

6 **MS. SHANTONA CHAUDHURY:** Okay. Speaking more
7 substantively now in terms of what intelligence has brought
8 to your attention specifically, there's been a lot of
9 discussion in the Commission's proceedings, you may know,
10 about whether or not certain intelligence has reached you,
11 certain information, and whether it should have. And there's
12 also been a lot of discussion about the vast universe of
13 intelligence and information that's out there. One figure
14 we've heard is 70,000 products produced by the -- or
15 published by the Canadian intelligence community per year.

16 So assuming you're not going to read the
17 70,000 and that not all 70,000 will come to your attention,
18 what is it that you expect to see? What is it that you need
19 to see as Prime Minister?

20 **RT. HON. JUSTIN TRUDEAU:** I need to see
21 information that is germane to my role as Prime Minister, and
22 that means things that are directly impacting or threatening
23 Canadians, things that are linked to particular policy
24 decisions we need to make as a government, whether in an
25 approach to a particular issue or region of the world or,
26 indeed, country or whether it's looking at improvements that
27 need to be made in our national security legislation or
28 agencies, things where there are perhaps gaps highlighted or

1 tools that would be necessary to act on to combat new threats
2 around disinformation or misinformation that certainly nobody
3 was thinking of 20 years ago to the same degree, or
4 information that's particularly germane if I'm going to a G7
5 or a NATO meeting or a G20 where I will be interacting with
6 various leaders, are there things that I need to know about
7 them that are relevant for our interactions or our potential
8 interactions.

9 I guess in general, I mean, I have to trust,
10 and I do, the intelligence officials, and more specifically
11 my National Security and Intelligence Advisor, to make
12 determinations on what it is that I need to see as a summary,
13 what I need to see as a full analysis or what I might even
14 need to see in raw intelligence.

15 And over the years of working with NSIAs, I
16 would say that they have gotten very good at knowing what it
17 is that I already know about, what it is that I'm
18 particularly interested in and what I'm going to ask more
19 questions about, and what it is that I really should see the
20 raw intel and an evaluation of the sources. It's a single
21 source but reliable, or a single source and somewhat
22 unreliable, but the information is so explosive that you
23 should have it in your brain, that sort of frame is very much
24 why I have a National Intelligence and Security -- Security
25 and Intelligence Advisor, to be able to know, okay, the PM
26 already knows about, you know, the point of this document.
27 We don't need to give him the full document. I can simply
28 apprise it on him and he can spend his time digging into

1 these other, more relevant or newer pieces of information
2 that will complete his understanding of the threats and
3 realities faced by Canada and Canadians.

4 **MS. SHANTONA CHAUDHURY:** Okay. So the
5 primary responsibility, then, for making sure that you do
6 have what you need to know and maybe don't have what you
7 don't need to know or that you don't spend your time on the
8 wrong things, that falls to the NSIA, as you've said.

9 **RT. HON. JUSTIN TRUDEAU:** I would say the
10 primary repository of those decisions is the NSIA, but there
11 are a number of others who will flag that. Sometimes it's my
12 Foreign Policy and Defence Advisor, Patrick Travers, or
13 others in my office who will see a larger range of
14 information than I do because they have a specific task on
15 that one area, whereas I'm covering all policy areas for this
16 country. They will dig in and say, "Okay, the PM really
17 should see this because it's particularly relevant for these
18 reasons" that are perhaps not -- perhaps more political
19 reasons that the NSIA looking at it from an official lens
20 wouldn't have. In some cases, the Clerk of the Privy Council
21 will flag things for me; or the Director of CSIS, in meeting
22 with him he will say, no, you really should follow up on this
23 or that.

24 But in general, the filter through which
25 everything goes is the NSIA, with whom I need to have a very
26 close relationship, which with whom I do, and a bond of not
27 just trust in the judgement that she puts forward on what I
28 should see or what I shouldn't see, but she needs to have a

1 pretty good idea of the things I know about, the things I
2 need to know more about, and the things that are going to be
3 of particular interest or importance to me.

4 **MS. SHANTONA CHAUDHURY:** That's fair. So
5 it's not just the NSIA, it's not ---

6 **RT. HON. JUSTIN TRUDEAU:** No, but it's
7 primarily the NSIA, as you say.

8 **MS. SHANTONA CHAUDHURY:** Fair enough. But
9 so, it's a close two-way working relationship then?

10 **RT. HON. JUSTIN TRUDEAU:** Very, very.

11 **MS. SHANTONA CHAUDHURY:** And we've also heard
12 that part of the NSIA's role is to sort of play a convening
13 role within the national security community. So it's a
14 significant role, and there have been suggestions made, for
15 instance in the NSIRA report that the role should be
16 formalized and a legal instrument. We've also heard talk in
17 these Commission proceedings from the Clerk, I believe to
18 suggest that the idea of a mandate letter, perhaps.

19 What are your thoughts on that?

20 **RT. HON. JUSTIN TRUDEAU:** Over the course of
21 the years that I've been Prime Minister, we've had a number
22 of different changes to the National Security Advisor role.
23 One of the changes I made reasonably early on was actually
24 adding National Security and Intelligence Advisor, because it
25 wasn't just about security, intelligence was becoming more
26 and more important in our approach.

27 But from one NSIA to the next, there were
28 significant changes in the threat environment around us, in

1 the composition of the senior ranks of the public service and
2 their different roles. When Ian Shugart was my Clerk, he
3 came at that role with such a deep and expert understanding
4 of international issues, of intelligence issues, that he
5 played a role not just as a Clerk, but as a significant
6 National Intelligence and Security Advisor to me just as --
7 through his capabilities and personality. And therefore, the
8 actual NSIA I had at that point had a slightly different role
9 than in other times, where the Clerk wasn't as much of a
10 national security focused individual and had other qualities,
11 and the national security advisor was really the person who
12 was centred around that for me.

13 So those natural variations, and for example,
14 the fact that right now my National Security Intelligence
15 Advisor is also Deputy Clerk of the Privy Council, which I
16 think is very useful in this case, it isn't necessarily
17 automatically something every future Prime Minister would
18 want. Therefore, the idea of bounding in very prescriptive
19 legislation the idea -- the role of a National Security and
20 Intelligence Advisor, I think would be probably less flexible
21 than the role actually requires. Because the most important
22 part of the role is that the individual be empowered and
23 connected to the Prime Minister in the right way, but also
24 able to command the town, or the intelligence agencies
25 respect and be able to convene.

26 So some of the things we've done to
27 strengthen and almost codify that role are around the
28 creation of the National Security Council, which is more of a

1 strategic convening of Ministers and top officials to look
2 forward around larger issues, as opposed to an IRG, incident
3 response group, which is to respond to a specific incident.
4 This is a more strategic look, and the role of the National
5 Security and Intelligence Advisor is to be the secretary to
6 that council the same way the Clerk of the Privy Council is
7 also secretary to cabinet. It's a role that gives them an
8 official lever in convening and controlling the work done at
9 that particular table, whether it be Cabinet for the Clerk,
10 or NSC for the NSIA.

11 So that has already strengthened and codified
12 to a certain extent the role of the NSIA. But we have found
13 that publishing mandate letters that delineate clearly my
14 expectations of what in most cases Ministers, which is what
15 they are directed that, are expected to do, and what
16 authorities they have, and how they're expected to function,
17 has been incredibly useful a tool that is very bespoke for
18 the moment you're in and the kind of organization that your
19 government has particularly setup.

20 Publishing the mandate letters means that the
21 public knows clearly what is expected of these individuals.
22 Journalists and academics can dig into, you know, whether a
23 particular official or Minister is fulfilling the roles
24 expected, and how they're doing on that. But the most
25 important use of the mandate letters we've actually found is
26 internal to government themselves. We find that public
27 servants in various departments regularly consult the mandate
28 letters that we have published so that they know exactly what

1 Minister is responsible for, what they're actually trying to
2 do.

3 And a mandate letter for the National
4 Security and Intelligence Advisor would seem to me to be an
5 excellent use of both empowering and clarifying the
6 expectations of a given government at a given moment in a
7 public way, but also an accountable way.

8 **MS. SHANTONA CHAUDHURY:** So that would be a
9 way to maybe give some structure without compromising on
10 flexibility?

11 **RT. HON. JUSTIN TRUDEAU:** I wouldn't say
12 that, because it's not the mandate letter that gives the
13 structure. The way we set up the office, the way we task and
14 empower various parts of government is inherent. The mandate
15 letter would outline, would reveal that structure, and give
16 direction on the outcomes that we want to have, and I think
17 that's where it could be useful.

18 **MS. SHANTONA CHAUDHURY:** Okay. I'm going to
19 come back to the National Security Council, because it's
20 something I wanted to discuss in more depth. But before
21 that, and before leaving the topic of information more
22 generally, there's a couple of intelligence products that
23 have come up repeatedly in the commission's proceedings that
24 I want to ask you about.

25 One is called the Targeting Paper, and so
26 this one is -- just to introduce it briefly -- a document
27 that was drafted by CSIS in 2021 about the PRC's essentially
28 targeting of Canadian political actors for influence

1 operations. And it wasn't published in 2021, it was
2 published in 2023 and circulated to a small number of public
3 servants. There was a second more sanitized version with,
4 for instance names removed, produced of it and the intention
5 was that that would be circulated more widely.

6 We know we've heard from the CSIS Director,
7 Mr. Vigneault, former Director, that in his view that should
8 have been provided to you. So last time we broached this
9 topic, Prime Minister, was *in camera* and at that time you've
10 never seen that -- or the Targeting Paper at all, and I
11 understand that you know have. Okay.

12 **RT. HON. JUSTIN TRUDEAU:** Yes.

13 **MS. SHANTONA CHAUDHURY:** Having seen it now,
14 do you have any views on whether it's something that should
15 have found to your attention in 2023?

16 **RT. HON. JUSTIN TRUDEAU:** One of the
17 reflections I have on how this sort of, piece of analysis,
18 has caused so much reflection around this Commission and
19 various chatter, is the phrase Targeting Paper by China is
20 fairly alarming.

21 What the targeting paper actually talks about
22 is that China has broadly classified into three different
23 groups parliamentarians in their diplomatic activities. Some
24 as being positive towards China, and you know, perhaps there
25 to engage in constructive ways; others who are neutral or
26 convincing to be more positive towards China to show up at
27 various events; and others who have demonstrated themselves
28 to be more antagonistic to the Communist Party of China's

1 government by speaking out strongly on the Uyghur issue, or
2 human rights in Hong Kong, or on various other of the issues
3 that China doesn't like people to discuss publicly and
4 criticize them on. The fact that Chinese diplomats are
5 categorizing MPs in their outreach abilities into those three
6 categories is not itself particularly revelatory to me or new
7 information to me. It is fairly obvious, and it is part of
8 what diplomats do in every country around the world. I mean,
9 when we are busy fighting for to defend or renegotiate and
10 NAFTA with the United States under the Trump administration a
11 few years ago, we had very clear lists of, okay, this
12 Republican governor could be very helpful to us. This one is
13 going to be a challenge, so let's stay away from them, or try
14 and come at them, or try to neutralize their influence on
15 others. That's just part of diplomacy right there.

16 I will say that having read the targeting
17 paper in detail now, there were some interesting factoids or
18 tidbits in there that I said, oh, okay, that's interesting.
19 None of them significantly altered, or altered at all my
20 perception of China's behaviour, China's focus, China's
21 engagement influence and, in some cases, interference in
22 Canada to any significant degree. And I count on my National
23 Security and Intelligence Advisor to look at various
24 products, to make a determination whether or not they are
25 ready to go to the Prime Minister. I think in both of these
26 cases the papers were -- the other Special Report that you're
27 going to be talking about in a moment were not in a final
28 form, according to the NSIA, and, therefore, were -- there

1 wasn't a decision made to pass it along to me. I have to
2 trust the NSIA's judgment, as I said before, in knowing what
3 is going to be useful for me, what is going to be an
4 appropriate use of the 10 or 15 minutes worth of time that it
5 would take to go over a document like this, whether it adds
6 to my knowledge or whether there in those 10 or 15 minutes
7 that she has to submit other information to me, there is more
8 germane or more relevant information that she thinks would be
9 a better use of my time.

10 The determination was made in the case of
11 this targeting paper, or the targeting paper didn't get to me
12 because of decisions made by the NSIA, or not made by the
13 NSIA in terms of not choosing to pass it along. I have faith
14 having looked at the paper that it was, indeed, the right
15 decision by the National Security Intelligence Advisor, that
16 it wasn't a document that significantly added in a relevant
17 way to my understanding of the situation.

18 **MS. SHANTONA CHAUDHURY:** Okay. Just for
19 clarity of the record, the evidence we actually heard from
20 the NSIA at the time, Jody Thomas, was that she never
21 received the final version, so ---

22 **RT. HON. JUSTIN TRUDEAU:** There we go.

23 **MS. SHANTONA CHAUDHURY:** --- she never even
24 made that decision that it wouldn't go up to you, but so you
25 brought up a couple of interesting themes in that answer, and
26 one of which, yes, you've been paying attention because the
27 next document I was going to ask you about is the PCO Special
28 Report, so why don't I go there and then I'll ask you some

1 more general questions about the two of them.

2 So the Special Report then was the product
3 produced by IAS, the PCO Intelligence Assessment Secretariat
4 at late '21, early 2022. And this was a, for everyone's
5 benefit, drafted in collaboration with CSIS, and,
6 essentially, an overview of PRC foreign interference
7 activities in Canada. This, as you've said, is one that
8 wasn't finalized, and, ultimately, never reached you, and
9 that you have now read. So in that time period where this
10 was under discussion would be winter/spring 2022. And then
11 having read it again, and you may have given part of this
12 answer already, but is that something that you would have
13 wanted to have at that time and are there any problems
14 ensuing from the fact that you did not receive it then?

15 **RT. HON. JUSTIN TRUDEAU:** Again, there were
16 elements and facts and examples in there that I had not seen
17 before. But the overview and the pulling together of
18 information, while useful, I'm sure, for people who were
19 coming at this without the kind of regular briefings that I
20 got could have been very useful, I don't feel that there was
21 anything in there that I didn't already understand and know
22 about how China was engaging across different fields in
23 Canada. It wasn't particularly new -- it was a very useful
24 and good piece of work that combined and compiled everything,
25 and for someone new to the job would have been
26 extraordinarily important. Even not just new to the job of
27 Prime Minister, new to a role in the office, or, you know,
28 trying as an introductory level of, okay, now you're -- you

1 need to understand this. But it was a compendium of many
2 themes that I have been grappling with over the past number
3 of years in regards to China. And I, again, feel that the
4 NSIA was justified in not feeling that it was imperative that
5 they put it rapidly on my desk, particularly, because, as you
6 say, it wasn't yet in its final form.

7 **MS. SHANTONA CHAUDHURY:** Okay. We're
8 actually going to move to -- I'll come back to some of the
9 questions I was going to ask you on -- themes around that,
10 but I'm going to move to a different topic for now, which is
11 unclassified briefings to parliamentarians. And for this
12 I'll ask the Court Registrar to pull up COM 363, please. And
13 if we can scroll down to paragraph 126?

14 **--- EXHIBIT NO./PIÈCE No. COM0000363:**

15 NSICOP Special Report on Foreign
16 Interference in Canada's Democratic
17 Processes and Institutions

18 **MS. SHANTONA CHAUDHURY:** Prime Minister, for
19 your benefit, this is a discussion about a succession of
20 memos suggesting that, essentially, unclassified briefings be
21 provided broadly to parliamentarians. And what we see here
22 is that NSICOP made this recommendation in 2018 and 2019, and
23 there are 3 memos that were intended to go to you in some
24 way, shape or form. So 1 in December 2019 that was sent to
25 PMO but never followed up on, and we heard from your staff
26 that that sort of fell through the COVID cracks at the
27 beginning of the pandemic; one in December 2020, which was
28 discussed within PMO, but, ultimately, not actioned; and that

1 the report mentions one I 2022, which was never finalized or
2 even sent to PMO.

3 So just to confirm, first of all, that none
4 of these memos ended up reaching you; is that correct?

5 **RT. HON. JUSTIN TRUDEAU:** Correct.

6 **MS. SHANTONA CHAUDHURY:** Okay. And we know
7 that the -- this initiative of broadly briefing
8 parliamentarians eventually did happen in June 2024. So if
9 none of these reached you, the first question I'd like to ask
10 is, should this have happened earlier, and are you troubled
11 that it didn't?

12 **RT. HON. JUSTIN TRUDEAU:** My position has
13 always been that providing more briefings to parliamentarians
14 is a good thing. I'm fully in favour of it. We all receive
15 security briefings when we first get elected on not leaving
16 documents lying around, being careful about when you're
17 speaking about delicate matters in a restaurant, or on an
18 airplane, or anywhere people can overhear. We learn the
19 basics of phone hygiene and how to keep your information
20 secure. And I'm a huge believer in empowering
21 parliamentarians to be able to be safe and thoughtful in how
22 they do things.

23 The briefings to parliamentarians that you
24 receive when you get elected and security briefings ongoing
25 are not directed by the government of the day. They're
26 directed by the House of Commons itself, the Sergeant-at
27 Arms, if it's a matter of security, the Speaker's Office.
28 You know, briefings to all parliamentarians is not in general

1 something that the government of the day is directly involved
2 in. But these various documents are certainly something that
3 these -- you know, CSIS has the authority to go to either the
4 Speaker or the Sergeant-at-Arms and request for those
5 briefings. These briefings didn't get to me, but -- these
6 decision points didn't get to me, but I made it very clear
7 throughout conversations that I would have approved of or
8 encouraged briefings of parliamentarians.

9 There is a process that I see regularly
10 invoked. About every week or so I sit down with the Clerk of
11 the Privy Council and we go over changes to the senior ranks
12 of the Public Service, we talk about particular issues that
13 are coming forward, and part of our regular meetings is the
14 Clerk highlighting, "Okay. There's this note that we sent to
15 your office that has been there for a week or two, or for too
16 long, and we need a return on this because this is important
17 and we need this to be acted on." And I'll say, "Okay.
18 We'll follow up." And we dig it up from the pile of notes
19 that we get and make sure that we prioritize that.

20 In this case, nobody, neither CSIS through
21 their Minister to me, or directly to the Clerk, or to the
22 NSIA, flagged that this was something that was of importance
23 to them that was stalled. And therefore, as you pointed out,
24 they were not acted on in my office.

25 **MS. SHANTONA CHAUDHURY:** Why was your
26 approval being sought do you think? Like, was your approval
27 necessary for this initiative?

28 **RT. HON. JUSTIN TRUDEAU:** As I said, my

1 approval was not necessary for this initiative. It certainly
2 wasn't wrong for them to check, if they wanted to. I wasn't
3 insulted that they did, or I wouldn't have been insulted that
4 they did, but it wasn't part of the necessary steps.

5 Often we get things for information, "Oh, by
6 the way, the Minister is going to approve this. You should
7 know about it, but it's within his or her authority to do.
8 This is for information, not decision for you." Those are
9 notes that we receive regularly that obviously when they're
10 relevant or germane, they get dealt with either through the
11 Office or directly to me. But in this case, the authority
12 was not necessarily mine to give.

13 **MS. SHANTONA CHAUDHURY:** Okay. And would it
14 have fallen to a Minister? The Minister of Public Safety for
15 instance?

16 **RT. HON. JUSTIN TRUDEAU:** It could have. Or
17 the -- CSIS could have checked in with its Minister. The
18 Minister of Public Safety is directly the Minister that
19 oversees and is responsible for CSIS. I know that the
20 Director of CSIS has direct access to the Minister of Public
21 Safety in a very regular way. If there had been concerns
22 around this, the CSIS Director could have gone to the
23 Minister either for a signals check, or for help in moving it
24 through the approvals process in the Prime Minister's Office,
25 or to even check that maybe I should just go straight to the
26 Sergeant-at-Arms in Parliament to actually take on this
27 briefing. And as far as I know, CSIS did not bring up this
28 with even its own Minister.

1 **MS. SHANTONA CHAUDHURY:** Okay.

2 **COMMISSIONER HOGUE:** I have one question, Mr.
3 The Prime Minister.

4 **RT. HON. JUSTIN TRUDEAU:** Oui.

5 **COMMISSIONER HOGUE:** Do you have any idea why
6 no reply was ever given to all of those that requested the
7 authorization?

8 **RT. HON. JUSTIN TRUDEAU:** Well I think as was
9 stated in the first case, it was in process when COVID
10 happened and we all moved to different priorities and
11 virtually. In other cases -- in the third case, it actually
12 didn't actually get to my office. In the second case, no, I
13 don't know why.

14 **COMMISSIONER HOGUE:** Because if an
15 authorization is asked from your Office and no authorization
16 is needed, at least in your view, usually do you, not you
17 personally, but your Office, give the information to the
18 person requesting the authorization? Or not at all?

19 **RT. HON. JUSTIN TRUDEAU:** It depends on the
20 amount of notes, the various priorities of them as they go
21 through. I really can't speak to the challenges around that
22 particular one, other than saying that I was always very
23 clear that briefings to parliamentarians is a good thing.

24 **COMMISSIONER HOGUE:** Thank you.

25 **MS. SHANTONA CHAUDHURY:** Okay. The next
26 possibly related, possibly not, topic I want to talk about is
27 Ministerial accountability in the foreign interference space.

28 So can we bring up CAN030999?

1 --- EXHIBIT No./PIÈCE No. CAN030999 0001:

2 DM FI (Justice, RCMP, GAC, PS, CSIS,
3 PCO NSIA)

4 **MS. SHANTONA CHAUDHURY:** Prime Minister,
5 these are notes -- this is not something you would have seen.
6 This is notes or minutes from a DM FI, which was Deputy
7 Ministers on Foreign Interference Committee meeting in April
8 2023.

9 And if we can just scroll down so we can see
10 the third and fourth bullet there?

11 The NSIA at the time here was Jody Thomas.
12 And this is a discussion that was had at that meeting on
13 essentially where Ministerial accountabilities lie in the
14 foreign interference space.

15 So if we see that, I think it's the third
16 bullet on the page, the NSIA mentioned that the day before,
17 she, Public Safety, the Clerk, and Deputy Clerk, had a
18 discussion about foreign interference, during which the clerk
19 mentioned that the ISR, so this is in the period where the
20 Independent Special Rapporteur was doing his work:

21 "...seems as though they're [...]
22 comfortable with the Panel and SITE,
23 but what is becoming more obvious is
24 [...] gaps on how FI is handled [...]
25 between elections. Specifically,
26 what is the role of Deputies, staff
27 [...], and where is the ministerial
28 accountability [...] more broadly?"

1 The second bullet then says:

2 "As a result, [the] NSIA has asked
3 PCO to begin work on mapping this
4 [...]. [So] how is intelligence [...]
5 circulated, how are minister's
6 informed, [...] how do they exercise
7 [their] ministerial accountability.
8 [...] the governance [...] seems to work
9 well at the Deputy level and even
10 between PM [and] PMO [but] that gap
11 at the ministerial level [may be] a
12 concern..."

13 So we discussed this a bit with the NSIA at
14 the time, Jody Thomas, and what she said about this, and the
15 reference for the record is at WIT151, paragraph 81. I won't
16 bring it up, but I'll just tell you about it, the
17 conversation around Ministerial accountability was that in
18 the NSICOP and NSIRA reports, as well as the media leak
19 discussions, everything needs to go to the PM, but in fact,
20 in a Westminster style of government, Ministers have
21 accountabilities.

22 So that was the nature of the discussion that
23 was being had at this meeting. From your perspective, how
24 does this play out? Is there/was there an issue with
25 Ministerial accountability in the foreign interference space?

26 **RT. HON. JUSTIN TRUDEAU:** I think what you're
27 outlining is sort of the second part of the conversation.
28 The first part of the conversation is clear to me, and I

1 can't really speak to what Jody was sort of digging into
2 there, but it's very clear from the first bullet "the gaps on
3 how FI is handled in between elections."

4 I think the important thing to remember is
5 when we created the SITE Task Force and the Panel of Five, it
6 is because during an election, during the writ period, the
7 government is in caretaker mode. So there actually are
8 significant limits on how and whether Ministers, and the
9 Prime Minister, that continue to be Ministers or Prime
10 Ministers even during an election, but they are limited in
11 what they can actually go out and say, particularly if
12 they're about to say that an opposition party is compromised
13 or benefiting from interference by a third country in an
14 election context. That would be destabilizing and, you know,
15 of concern to do. That's why we set up the Panel of Five top
16 public servants to be able to address, during a writ period,
17 and publicly speak to what a particular piece of foreign
18 interference is trying to have as its impact on an election.

19 That makes total sense as a structure during
20 elections, but during a by-election, where we've actually
21 made sure that SITE looks in on that, you don't have a
22 caretaker convention. During a by-election, the government
23 continues to be the government, the Minister of Public
24 Safety, or Foreign Affairs, or the Prime Minister, continue
25 to be fully empowered to do all their work, and therefore it
26 would be during a by-election, if there was a significant
27 concern that a particular country was engaging in massive
28 misinformation/disinformation, it would normally be the

1 Minister who would do that, who would talk about that and be
2 accountable for that communications and those actions, but
3 because of the partisan nature of the event that is a by-
4 election, there's a discussion on, well, whether that
5 Ministerial accountability should be there around that, or
6 whether officials should take on the communications, even
7 though it's not in a caretaker convention.

8 There are arguments to be made on both sides,
9 and that's the kind of issues that we're grappling with
10 around interference in our democratic institutions and the
11 fact that one Party was selected by Canadians to wield the
12 full authority of the state which, in general times, is very
13 clear and, you know, hopefully without partisan spin or
14 questioning, but in situations of electoral contexts become
15 more delicate.

16 So where we could say, "Oh, a caretaker
17 convention means that government is not fully active and
18 leaning in as Ministers and Prime Minister during an election
19 period", what you actually do during a by-election is the
20 question that they're digging into around Ministerial
21 accountability.

22 **MS. SHANTONA CHAUDHURY:** Okay. Well, let me
23 take you back to the National Security Council at this point.
24 And can you tell us a little bit about how and why that
25 Council was created?

26 We understand it was -- I think it was
27 September 2023 it was stood up?

28 **RT. HON. JUSTIN TRUDEAU:** Very rapidly after

1 2015, we created a mechanism to deal with various crises,
2 whether it be a particularly dangerous storm or flood or
3 weather event that was affecting a particular part of the
4 region that required engagement from multiple Ministries.
5 You could imagine Transport having to weigh in, Environment
6 and Climate Change coming to the table, maybe there's a
7 national security nexus so the Public Safety Minister needs
8 to be there for overseeing policing.

9 We created something called an Incident
10 Response Group, and this could involve either a natural
11 disaster or a specific terrorist threat that we saw coming or
12 needed to respond to after it actually hit, you know, various
13 responsive specific measures where we would gather the
14 relevant Ministers and the top officials, the Deputy
15 Ministers, around the tables and everyone would contribute in
16 discussions as opposed to Cabinet meetings or Cabinet
17 committees where the Ministers usually speak for their
18 departments and their officials, maybe an official can -- a
19 Deputy Minister will weigh in at one point and complete what
20 the Minister says. But in general, the conversation is
21 Ministers are speaking for their departments around committee
22 tables.

23 The IRG, Incident Response Group, was useful
24 in that it elevated the Deputies to be full participants
25 around the table so you had both the political lens and the
26 top officials lens dealing in, in a very open way that
27 allowed us to coordinate across bodies on a specific incident
28 that happened. And we, unfortunately, because of the times

1 we're in, have been using Incident Response Groups much more
2 regularly than I think we ever hoped to over the past number
3 of years.

4 But we realized in having those conversations
5 that sometimes those conversations would have a stretch at
6 the last part that said, "Okay, how do we then strategically
7 look forward to the next incident like this and already
8 prepare for being able to better deal with it?". And we
9 said, well, that's not really responding to this incident.
10 There is a need for a larger outlook, a more strategic
11 outlook where we can sit down and gather everyone around the
12 table to talk about a particular theme and position Canada
13 strategically over the coming decade, perhaps, in our
14 positioning.

15 There have been a number of those meetings
16 already, and they have proved incredibly useful where
17 Ministers and Deputy Ministers and heads of agencies in
18 relevant positions are all gathered around the same table.
19 It's managed by the Prime Minister, but the NSIA is secretary
20 to that council, and it allows us to dig in on a very
21 significant and specific theme.

22 Might imagine themes -- and I don't want to
23 go into too many details, but might imagine themes being
24 around how Canada positions itself around its Indo-Pacific
25 strategy, which was sort of what our outlook and engagement
26 on the region, which would involve a whole bunch of different
27 parts of government and, obviously, involve both security and
28 trade and diplomacy and all these different things that would

1 come together in a cohesive view that we could plan out with
2 that national security lens on it. Or another one was how
3 we're approaching our critical minerals, the opportunity
4 Canada has to be a supplier of the critical mineral
5 ingredients to both the green and the technological
6 transformation the world's going through that is right now
7 perhaps constrained in supply by a particular country.

8 You know, Canada stepping into that space and
9 being able to be a reliable supplier of critical minerals
10 that are essential to national security around the world is a
11 theme that is worthy of a big strategic discussion.

12 So that's how we created the National
13 Security Council and, in its meetings so far, it has proved
14 an extraordinarily effective tool.

15 **MS. SHANTONA CHAUDHURY:** Okay. So it's --
16 just to summarize a little bit of what you said, it's a
17 strategic body, essentially, specifically on national
18 security issues which now brings, as you say, both Deputies
19 and Ministers to the table sort of along the lines of taking
20 the model of the IRG in that sense but not *ad hoc*. It's
21 something that's more long term and strategic.

22 **RT. HON. JUSTIN TRUDEAU:** It's also -- it's
23 not regularly scheduled. We don't have one every couple of
24 weeks. It is thematically, when there is an important
25 discussion to be had, we will convene.

26 I mean, they come together at regular
27 intervals and we plan what the next ones will be, but we
28 could have, you know, one every few weeks, like we could go a

1 month or two without having one depending on the theme, the
2 time of year, all those things. So it's not as rigidly
3 scheduled as, say, Cabinet meetings or even Cabinet committee
4 meetings, but it is a legitimate, powerful tool.

5 But you're right, it's not entirely *ad hoc*,
6 but it is not regularly scheduled.

7 **MS. SHANTONA CHAUDHURY:** Okay. So -- and I
8 appreciate that you don't know or you can't speak to the
9 discussion we were looking at in the DMFI minutes here, but
10 in terms of getting the people around the table and having
11 these conversations -- and I understand it's not a cause and
12 effect thing, necessarily, but does that assist in ensuring
13 that there is sort of those conversations happening between
14 Ministers in the national security space?

15 **RT. HON. JUSTIN TRUDEAU:** Yes.

16 **MS. SHANTONA CHAUDHURY:** Okay. And in the
17 timing of its creation, September 2023, when was -- why was
18 that the right time to do it, in your view?

19 **RT. HON. JUSTIN TRUDEAU:** I believe there was
20 some -- there was a recommendation from maybe it was NSIRA,
21 maybe it was NSICOP, maybe it was a parliamentary committee
22 or some other source that highlighted that this was a good
23 thing to do, and it had already been something that we were
24 thinking about.

25 Coming out of the pandemic, which was a
26 significant crisis for the government, we were very much
27 looking at different ways of being able to better respond to
28 and learn from the things we did well, the things that we

1 could improve on in future pandemics or crises to realize
2 that this was a body that made sense for us to put together
3 to handle things like this.

4 I mean, to a certain extent, the COVID
5 committee that we had throughout the course of the pandemic,
6 I think, played a bit of a role of somewhat IRG, but also a
7 strategic overlook, and we wanted to replicate the
8 effectiveness of that committee in a more flexible way to be
9 able to cover different themes around the real strategic
10 threats to Canada.

11 **MS. SHANTONA CHAUDHURY:** You mentioned also
12 that the IRGs were becoming more and more frequent as a
13 result of things that are going on in the world. More
14 crises, more IRGs.

15 I'm wondering if you can speak to the shifts
16 in the geopolitical landscape that have happened especially
17 in recent years. I think we can probably -- it's not
18 terribly controversial that the -- Russia's invasion of
19 Ukraine, for instance, was a watershed moment.

20 How have those affected the national security
21 threats that Canada faces and has there been any sort of
22 corresponding shift or evolution specifically in the foreign
23 interference threats? Not just Russia, but more broadly the
24 shifts in the geopolitical landscape.

25 **RT. HON. JUSTIN TRUDEAU:** I think there is no
26 question that foreign interference and, in general, threats
27 geopolitically have increased significantly around the world
28 over the past number of years.

1 Obviously, as you say, Russia's invasion of
2 Ukraine, the pandemic itself in terms of a destabilizing
3 crisis for the global economy and for countries around the
4 world, the rise of the tools around social media
5 misinformation and disinformation that were present back in
6 2015 but not nearly as sophisticated or pervasive as they are
7 now have caused a lot of challenges.

8 One of the other things is in 2015 is we
9 watched the American impending election of Donald Trump and,
10 you know, the rise of right-wing populism around the world.
11 That seemed to be one of the big threats or big concerns that
12 we had that was potentially destabilizing; things like Brexit
13 coming along, Donald Trump's election. There was a lift of
14 right-wing populism that was very much the moment we were
15 living in in 2015, 2016, 2017, and grappling with, as a
16 responsible, progressive, rule-of-law democracy that believes
17 in facts and evidence as a basis for policy decisions, as we
18 are as a government.

19 But over the subsequent years, it is not just
20 about right-wing populism; it is still there, there is a
21 significant rise of authoritarianism and an aggressive
22 decline of democracy and democratic values in many corners of
23 the world that are aggressively attempting to destabilize
24 mature democracies where populism can sometimes sort of twist
25 the rules and the emphasis and, you know, twist the facts a
26 little bit for its own gain. The attacks on the cores of our
27 democracy and our institutions that the authoritarian
28 narratives and attempts at disinformation and propaganda and

1 sowing chaos in our democracies are much more serious and
2 severe over these past years than they have been.

3 You know, we need only to look at the
4 headlines this week to see the extent of interference
5 activities and the impacts they have on Canadians. But we've
6 seen that with a rise of a more authoritarian China and the
7 arbitrary detention of two Michaels. We've seen that through
8 the complete rejection of the UN Charter and the rules-based
9 order by Ukraine's being invaded by an authoritarian Russia.

10 The world is more uncertain and less safe
11 than it ever has been, and the answer that Canada needs to
12 give is to double down on the rule of law and on the
13 international rules-based order that protects us all. We
14 cannot allow might to become right once again in the world.
15 We have multilateral rules-based order as a protection
16 against that, and the fact that Russia, in particular, has
17 chosen to upend that, along with other countries, is
18 something that Canada must stand unequivocally and strongly
19 against us, because it protects us, but it also protects
20 countries around the world.

21 **MS. SHANTONA CHAUDHURY:** Well, as you say,
22 the headlines this week also reflect that, and we'll come
23 back to those as well.

24 Before we break, I do want to talk about, or
25 begin the discussion on, the development of the government's
26 response to foreign interference in the face of all of this,
27 or earlier. And I'll start with talking about the HASA MC,
28 so the memoranda to Cabinet on hostile activities to state

1 actors. And I'll ask the Court Operator to pull up COM.SUM4,
2 which is the summary of that MC.

3 --- EXHIBIT NO./PIÈCE No. COM.SUM0000004.EN:

4 Summary of a Memorandum to Cabinet -
5 Modernizing Canada's Approach to
6 Addressing Threats from Hostile
7 Activities by State Actors

8 **MS. SHANTONA CHAUDHURY:** So this, we know, is
9 a major Cabinet initiative in the foreign interference space
10 that has been discussed in the Commission's proceedings.

11 If we can zoom out so that you can see the
12 four bullet points essentially. Next page; there we go, one,
13 two, three, four.

14 So we see a number of elements in the
15 strategy here, one is, first, broadly endorsement of the HASA
16 Strategy; the second is a strategic whole-of-government
17 communications approach; the third is consultations on
18 legislative tools, the *CSIS Act*, the *Criminal Code*, and the
19 *Security of Information Act*; and the fourth is new
20 capabilities for the RCMP.

21 So in all this, we know that parts of this,
22 at least, eventually became the legislation that we know
23 fondly as Bill C-70, which was introduced into Parliament in
24 spring of 2023 and recently passed into law in, I believe,
25 June 2024.

26 So first question I want to ask is what
27 happened in that two-year interval? So HASA ends up being
28 ratified in 2022, and Bill C-70 coming into law in June 2024.

1 It took two years for that to develop. Can you explain why
2 that happened, and did it happen quickly enough?

3 **RT. HON. JUSTIN TRUDEAU:** Oh, sorry, I was --
4 it absolutely happened in the time it needed to happen. The
5 -- any time you are giving more powers to security agencies
6 to counter, in this case, hostile actions by state actors, or
7 any time in general you're giving more powers to security
8 agencies to do new things, to counter new threats, you have
9 to be very, very careful about the balance you get on
10 protecting citizens' rights, protecting diaspora communities,
11 that could be affected; by protecting marginalized groups
12 that have historical and systemic reasons to be worried about
13 authorities having more powers to enforce the police to
14 investigate on them.

15 You know, it is not a small thing to grant
16 new powers to counter new threats to intelligence agencies.
17 And that's why over the process of C-70 there were multiple
18 visits to Cabinet over subsequent years; there were multiple
19 rounds of consultations with different diaspora communities,
20 with stakeholder groups, with human rights defenders, and
21 Charter rights groups. We knew that getting a significant
22 piece of legislation that would strengthen Canada's ability
23 to protect itself from national security threats from other
24 countries was something that was delicate and that needed to
25 be done right.

26 I mean, we had the example of Bill C-51 in
27 the last years of the Harper government where the balance
28 wasn't gotten right, and we committed in that election that

1 we would repair the balance on that, and we did, rapidly
2 after getting elected. And strengthened the balance to make
3 sure that we were -- even as we were granting new powers to
4 intelligence agencies that were relevant and needed, the
5 protections of fundamental rights of Canadians, and
6 particularly of vulnerable groups, were strengthened in our
7 measures that we took in the first years in office.

8 So we had direct experience, and getting this
9 balance right is really important because people may remember
10 from the 2015 election the NDP leader, Thomas Mulcair, made
11 it a huge point of contention for him that the violation of
12 *Charter* rights within Bill C-51 were fundamentally so
13 egregious that it was terrible not just that Stephen Harper
14 put those forward but that myself and the Liberal Party would
15 actually say, "No, we're going to accept those improvements
16 but we're going to fix them as soon as we get elected," which
17 we ended up doing. We chose to not play politics with issues
18 of national security, and we said, "It's not what we would
19 do, and we will change it if and when we get elected."

20 But that experience deeply informed our
21 approach to building C-70. And I think that the result of
22 the work that we did with C-70, the fact that it passed
23 through the House with broad support and the Senate with
24 broad support, and is now in place and active without
25 significant outcry by minority communities or concerned
26 groups shows that we did do the work to get it right, and
27 getting this right and building consensus around these issues
28 was a fundamental goal of this government. And, quite

1 frankly, when C-70 passed, there was criticism that we'd
2 moved too quickly on it. As you highlight, there's also
3 criticism that maybe we took too long for it. Doesn't always
4 work this way, but in this case, I can say that it probably
5 means that we took about the right amount of time to get it
6 right, certainly because it was passed and is generally seen
7 as -- by all parties, as an effective and important piece of
8 legislation.

9 **MS. SHANTONA CHAUDHURY:** Madame la
10 Commissaire, est-ce que vous vouliez ajouter quelque chose
11 ou...

12 **COMMISSAIRE HOGUE:** Non. Ça va.

13 **Me SHANTONA CHAUDHURY:** C'est le temps de la
14 pause. OK. Parfait.

15 **COMMISSAIRE HOGUE:** Non, je... j'écoutais
16 simplement. Ça va.

17 **Me SHANTONA CHAUDHURY:** OK. Parfait.

18 **COMMISSAIRE HOGUE:** Si vous avez encore des
19 questions avant la pause, y'a pas de problème.

20 **MS. SHANTONA CHAUDHURY:** Parfait. I did want
21 to ask, Prime Minister, the second question I wanted to ask
22 on that is, is it enough? One of the -- Bill C-70,
23 obviously, countering foreign interference, countering
24 hostile activities of state actors is an even broader term,
25 but one of the criticisms we've heard is that the government
26 has not done enough in this space, and has not done enough to
27 counter what is now a recognized threat. How would you
28 respond to that?

1 **RT. HON. JUSTIN TRUDEAU:** Well, I think,
2 first of all, I mean, I'd heard that criticism as well, or
3 the frame that, well, since you had to, you know, do C-70,
4 obviously, there was a mistake in the powers that CSIS or
5 intelligence agencies didn't have before. You're correcting
6 a mistake, or an error, or a shortcoming that existed before
7 you corrected it. And I think that's the wrong way of
8 looking at it.

9 I think we are in a situation where the
10 threats are constantly evolving, whether it's newer
11 technologies, the advent of AI, the shifting and pervasive
12 impact of social media in how people collect their news, and
13 understand the world around them, and the vulnerability to
14 foreign interference and misinformation and disinformation
15 that comes through that vector that wasn't the case even 10
16 years ago. The shift in geopolitics where you have more
17 assertive authoritarianisms, countries like Russia willing to
18 invade a neighbour on the flimsiest of justifications means
19 that the world is changing in very real and dangerous ways
20 that require us to step up.

21 And at no point would I say that C-70 is
22 enough, and we can now sit back and coast on this for the
23 next few decades because there will be no need to adjust and
24 add more. That would simply be irresponsible. There is
25 always going to be more work to do on ensuring that our
26 agencies have the necessary tools to keep Canadians safe,
27 while at the same time, protecting the freedoms and rights of
28 everyone in this country. And that is the constant,

1 rigorous, responsible work that a government needs to do, to
2 constantly be questioning, well, what more can we do to keep
3 Canadians safe, given these new threats, given these new
4 challenges? How is the best way to do it while upholding the
5 democratic and fundamental values and freedoms that is
6 important to Canada? That's a constant debate in which not
7 just the government, but stakeholders, communities, and even
8 opposition parties have -- and all parliamentarians have an
9 essential role to play. It shouldn't be about the partisan
10 disagreements whether, you know -- or a basis for partisan
11 attacks when it comes to the question of protecting Canada's
12 citizens, its institutions and its sovereignty.

13 And, you know, the kinds of debates we were
14 able to have around C-70 and the kind of consensus that we
15 had around getting it passed indicates that, to a certain
16 extent at least, there is an understanding amongst
17 parliamentarians that we shouldn't be politicizing or overly
18 partisan in our approach on these issues of fundamental
19 safety. We need to challenge. We need to make sure we're
20 getting the balance right, and that different parties coming
21 from different perspectives with substantive challenges to it
22 is a really important piece of it. But my expectation is
23 that there will pretty much always be, through the life of
24 any Parliament or over the coming decades, there will always
25 be some sort of tweak, or improvement, or, you know,
26 adjustment to our national security infrastructure that is
27 being debated, or looked at, or legislated on, or studied, or
28 reflected on an ongoing basis. Keeping Canadians safe is not

1 a one-day job. It's a constant, regularly updated,
2 foundational priority for every government, every single day.
3 And it'll come together in certain pieces of legislation, but
4 there's always going to be more to do, and that is the work
5 the government continues to do.

6 **MS. SHANTONA CHAUDHURY:** Okay.

7 C'est peut-être un bon moment pour la pause.

8 **COMMISSAIRE HOGUE:** Pour la... alors, ça sera
9 une pause de 20 minutes. De retour à 11 heures.

10 We'll resume at 11.

11 **THE REGISTRAR:** Order, please. À l'ordre,
12 s'il vous plaît.

13 This sitting of the Commission is now in
14 recess until 11:00 a.m. Cette séance de la Commission est
15 maintenant suspendue jusqu'à 11 h.

16 --- Upon recessing at 10:40 a.m./

17 --- La séance est suspendue à 10 h 40

18 --- Upon resuming at 11:02 a.m./

19 --- La séance est reprise à 11h02

20 **THE REGISTRAR:** Order please. À l'ordre,
21 s'il vous plaît.

22 This sitting of the Foreign Interference
23 Commission is now back in session. Cette séance de la
24 Commission sur l'ingérence étrangère est de retour en
25 session.

26 The time is 11:02 a.m. Il est 11h02.

27 **--- RT. HON. JUSTIN TRUDEAU, Resumed/Sous le même serment:**

28 **MS. SHANTONA CHAUDHURY:** Before we continue,

1 Commissioner, just one quick clarification for the record.
2 Apparently, I said that Bill C-70 was introduced in the
3 Spring of 2023, obviously it was not, it was Spring of 2024.
4 Counsel for the Attorney General was careful to remind me of
5 that.

6 **--- EXAMINATION IN-CHIEF BY/INTERROGATOIRE EN-CHEF PAR**

7 **MS. SHANTONA CHAUDHURY (cont'd/suite) :**

8 **MS. SHANTONA CHAUDHURY:** Okay. Moving on
9 with our next topic now, Prime Minister, I would like to ask
10 you about responding to foreign interference in a federal
11 environment. And to do that, I'm going to ask the Court
12 Registrar to pull up CAN44456, and again zoom out so we can
13 see. That's great. We can see the summary.

14 **--- EXHIBIT No./PIÈCE No. CAN044456 0001:**

15 Reply to Premier Pillai - Ensuring
16 the future success of the Canada-
17 India relationship and sharing secure
18 intelligence with Premiers

19 **MS. SHANTONA CHAUDHURY:** So, Prime Minister,
20 you may recognize this. This is a memorandum that was sent
21 to you about a letter received from the Yukon Premier, Ranj
22 Pillai, about responding to Canada's relationship with India,
23 and sharing intelligence with Premiers. And so, in this
24 summary we learned that Premier Pillai has expressed some
25 concern at a lack of consultation with Premiers regarding
26 national security incidents and the inability of security
27 agencies to share classified info with them. He also notes
28 support for the normalization of relationships between Canada

1 and India. I suppose that a, that was then this is now.

2 But in any event, can you speak to the
3 challenges really, and how managing national security in an
4 environment where it's essentially a federal responsibility,
5 but touches provincial jurisdictions as well, is done?

6 **RT. HON. JUSTIN TRUDEAU:** Well, I mean, I
7 think we've seen over the past number of years that attacks
8 on our democratic institutions, attacks on our democracies,
9 do not limit themselves simply to federal electoral events or
10 federal parties. Provincial parties, municipal elections
11 even have had -- have proven to be targets of note for
12 foreign interference as well.

13 So part of what we wanted to do within Bill
14 C-70, was explicitly make it possible for CSIS to give, to
15 grant appropriate security clearances to provincial Premiers
16 so that they can actually have a better lens on protecting
17 their institutions and also their citizens, in addition to
18 the work that the federal government does to protect their
19 citizens.

20 **MS. SHANTONA CHAUDHURY:** Okay. And
21 jurisdictionally, as you mentioned, foreign interference can
22 touch not only sub national governments, but areas that fall
23 within provincial jurisdiction. And how can that be
24 ameliorated, or how can those relationships happen, and what
25 role can the federal government play in that space?

26 **RT. HON. JUSTIN TRUDEAU:** Well, I think part
27 of protecting Canada, protecting our institutions, and
28 protecting Canadians and our economy means people who have

1 authority and responsibility over various aspects of our
2 country should be able to be fully informed of the threats
3 and look at what the responses are.

4 I mean, one of the classic examples is
5 there's a number of times where we've seen cyber attacks,
6 significant cyber attacks which are not foreign interference,
7 but significant cyber attacks on provincial institutions,
8 whether it be power grid or hospitals. The federal
9 government has significant and deep expertise in cyber
10 defence and cyber capacity, and it has been only over time
11 that we have been engaged by the provinces to strengthen
12 their defences as opposed to building -- having each province
13 build up its own exclusive cyber jurisdiction, it makes more
14 sense to lean on the federal area -- federal expertise, and
15 federal tools to protect hospitals, or whatever, even though
16 they are fully within provincial jurisdiction.

17 So that sort of collaboration between orders
18 of government has been happening for a while in the cyber
19 realm, can and should happen much more in the interference
20 realm. But in order to do that it will be important that the
21 appropriate people, Premiers in this case, get the security
22 clearances. It shouldn't be the federal government
23 directing, for example, you know, what's going to happen in a
24 municipal or provincial election, you know, that would be not
25 appropriate, and quite frankly, sort against the Constitution
26 and the structures that we have in place as a federal
27 government, as a federal system.

28 But empowering the Premier to be able to

1 access relevant classified information that impacts upon
2 their structures or institutions, or their members and their
3 areas of responsibility, is exactly the right kind of
4 principle. And that's something that this government has
5 enabled and will continue to, so we're happy to do that.

6 To go back to even before C-70 was passed,
7 there have been instances in which we have directly brought
8 in provincial Premiers on issues that are directly relevant
9 to them, but systemizing it in a much more robust way is what
10 C-70 accomplished.

11 **MS. SHANTONA CHAUDHURY:** Okay. We can take
12 that down now, thank you. And for the next part of the
13 question, you can pull up WIT160. So these questions, Prime
14 Minister, are going to focus around some intelligence
15 regarding MP Michael Chong, and this goes back to -- well,
16 let me ask you first, actually, when and how did you first
17 learn of allegations concerning the PRC targeting MP Chong in
18 any way?

19 **RT. HON. JUSTIN TRUDEAU:** I learned about
20 them in the media after a criminal leaked that classified
21 information.

22 **MS. SHANTONA CHAUDHURY:** So we've heard about
23 intelligence products that were circulating in 2021 that
24 spoke to this issue, and I take it from your answer that
25 those never reached you?

26 **RT. HON. JUSTIN TRUDEAU:** No.

27 **MS. SHANTONA CHAUDHURY:** Okay. What was your
28 understanding when you did learn of this in May 2023 then, of

1 what the nature of the threat two MP Chong was?

2 **RT. HON. JUSTIN TRUDEAU:** Well, obviously
3 like most Canadians, when I read the accounts in the paper of
4 what the classified information actually was purported to
5 have said, my instant reaction was to turn to my NSIA
6 officials and say, find out what exactly the threat is, and
7 if it indeed is this, why am I only learning about this in
8 the newspapers, in the media? Yeah, that was my first
9 reaction.

10 **MS. SHANTONA CHAUDHURY:** Okay. And if we
11 just zoom out a little bit on this so we can see the
12 discussion that was had *in camera* about this? Paragraph 2, I
13 believe. There we go. So sort of towards the end of that
14 paragraph you note, Prime Minister that well this was
15 extrapolated through the leaks into China's going after
16 Michael Chong's family as a way to pressure him, that's not
17 the assessment that the professional analysts made. Can you
18 speak to that?

19 **RT. HON. JUSTIN TRUDEAU:** Well, that is an
20 example where criminal leaks of classified information can be
21 damaging to reputations, to people's confidence in our
22 institutions and in our intelligence agencies.

23 The conclusion that was drawn, I think it's a
24 little further down on this page by the Director of CSIS, is
25 that there actually were no direct physical threats do
26 Michael Chong or to his family. But that's certainly not the
27 impression you get from the leaks of classified information
28 that were selective and certainly portrayed in a way that

1 looked much more serious than they actually were.

2 This is not to minimize the fact that it is a
3 real issue that China has chosen to single out for particular
4 attention parliamentarians from all different parties that
5 have stood most clearly and strongly against Chinese actions
6 in regards to Uyghurs and in regards to the rights for
7 democracy protestors in Hong Kong or what have you. But the
8 stories that circle in and around this, that they were going
9 after Michael Chong's family, are simply not borne out by the
10 actual intelligence or the analysis by intelligence
11 officials.

12 MS. SHANTONA CHAUDHURY: Okay. Let me stop
13 you there and just ask the Registrar to pull up CAN.SUM17,
14 please? So take the witness summary down and put up
15 CAN.SUM17.

16 --- EXHIBIT No./PIÈCE No. CAN.SUM.000017:

17 PRC Interest in Michael Chong

18 MS. SHANTONA CHAUDHURY: This is a topical
19 summary that was produced by the government for the
20 Commission and contains publicly disclosable information on
21 this topic, PRC interest in Michael Chong.

22 So can we zoom out quite a bit so I can see
23 most of this page? Thank you.

24 So in the first couple of paragraphs there,
25 what this document says, Prime Minister, is essentially it
26 talks about that the Uyghur motion, and then the PRC having
27 imposed economic sanctions on MP Chong in relation to this,
28 and these sanctions are in keeping with the PRC sanctions

1 regime, which allows not only sanctioning of individuals, but
2 their family members as well.

3 And then you'll see at the second paragraph
4 that that option to sanction family members wasn't invoked in
5 the case of MP Chong.

6 If we scroll down now, and I think around
7 paragraph 10, so I think somewhere in this document -- there
8 we go, paragraph 8 ---

9 **RT. HON. JUSTIN TRUDEAU:** Paragraph 8.

10 **MS. SHANTONA CHAUDHURY:** --- I think is what
11 you were referring to perhaps, in this document at least:

12 "The CSIS Director emphasized that
13 CSIS intelligence did not reflect
14 direct physical threats to MP Chong
15 or members of [...] family or intention
16 to cause physical harm."

17 And then the last paragraph talks about how
18 building -- the process of using information through open
19 sources and gathering information on MPs is part of regular
20 diplomatic activity, which I think goes back to something you
21 mentioned earlier this morning.

22 In that vein, I'd like to ask you, because
23 when your officials testified yesterday, counsel for MP Chong
24 put to them, well that may well be, but we know that the PRC
25 is a repressive regime and we know that it has a history of
26 taking action against dissidents, particularly in Hong Kong.
27 So with that in mind, how can one say that it's convincing
28 that there were no threats against MP Chong or his family?

1 What's your reaction to that?

2 **RT. HON. JUSTIN TRUDEAU:** Our intelligence
3 professionals, our intelligence services, examine threats to
4 Canadians every single day and have to make determinations
5 around which are credible, which are of concern, which
6 require action, which require notification. I will highlight
7 that even before the criminal leaks, there had been threat
8 reduction measure meetings with MP Chong by intelligence
9 officials who shared with him, you know, the concerns about
10 China's interest and negative views of him. That is entirely
11 in keeping with the analysis and the roles and the
12 responsibilities of our intelligence agencies.

13 **MS. SHANTONA CHAUDHURY:** Okay. We can take
14 that one down now. Thank you.

15 Within about a week of this article appearing
16 in *The Globe and Mail*, significant action was taken by the
17 government in response to PRC foreign interference, the
18 PNGing of a diplomat named Zhao Wei. So we went through this
19 in, I would say, painstaking detail with your officials
20 yesterday, so I'm not going to take you through the
21 succession of meetings, but I will ask you, first of all, the
22 authority to PNG a diplomat, that lies with the Minister of
23 Foreign Affairs, not the Prime Minister. Is that correct?

24 **RT. HON. JUSTIN TRUDEAU:** Yes.

25 **MS. SHANTONA CHAUDHURY:** Okay. Is it
26 something that you have to approve at all?

27 **RT. HON. JUSTIN TRUDEAU:** No, it is not
28 something I have to approve, but it is always a decision that

1 I am, at the very least, apprised of, but more accurately,
2 engaged in, in terms of the discussions and the
3 deliberations, because kicking out a diplomat is a big thing,
4 not a small thing, and it is right and proper that the
5 authority be at the foreign minister level, but it is
6 something that, as Prime Minister, I am very much kept in the
7 loop on and, you know, my perspective on that, positive or
8 negative, is certainly taken into account by the foreign
9 minister.

10 **MS. SHANTONA CHAUDHURY:** What was your
11 understanding of why Zhao Wei was being PNGed?

12 **RT. HON. JUSTIN TRUDEAU:** Three things.
13 First of all, over the past number of years leading up to
14 this, there have been increasing instances of foreign
15 interference by China and increasing moments of Canadian
16 officials informing China directly that their interference
17 activities were unacceptable and needed to stop, needed to
18 decrease, needed to -- they needed to stop attempting to
19 interfere in Canadians' lives and in our institutions. That
20 perhaps had its most clear moment in the G20 meeting in
21 Indonesia, where I directly informed Premier Xi that he
22 needed to make sure that China was -- ceased interfering into
23 Canada -- into Canadian democracy. It wasn't a conversation
24 that went particularly well, but it was a conversation that
25 needed to be had, and that we had.

26 However, despite that and many other messages
27 to China, the interference continued, and even in some cases,
28 increased. So that was part of the reason why we needed to

1 make sure there was a clear consequence.

2 Secondly, as we looked into it, as the
3 allegations around Michael Chong surfaced publicly, on
4 digging into it with the Foreign Affairs Ministry here in
5 Canada, it was clear that even though in the case of Michael
6 Chong, Zhao Wei was not engaged in interference, so much as
7 influence, that is regular diplomatic collection of
8 information with a goal of sanctioning, for example, so in
9 the case of Michael Chong, not direct interference in the
10 analysis of our intelligence agencies, but in other cases had
11 been involved in interference activities, we realized that
12 that was a reason to look at kicking him out of the country,
13 that he was involved and known to be involved in foreign
14 interference, even if it wasn't directly in the case of
15 Michael Chong.

16 And third, the fact that there needed to be
17 consequences for China, he'd been involved in foreign
18 interference activities, and third, it had been made public
19 meant that he was also not going to be able to operate as a
20 regular diplomat in Canada anymore. His utility as a
21 diplomat to both Canada and I guess to China, had ended
22 because he was so clearly outed in the media as being a bad
23 actor.

24 Those three things together meant that, to
25 give a consequence to China, to give consequences on foreign
26 interference, and specifically the fact that he was not going
27 to be much use as a diplomat anymore, we chose to kick him
28 out of the country.

1 **MS. SHANTONA CHAUDHURY:** Okay. I'm going to
2 move now ---

3 **RT. HON. JUSTIN TRUDEAU:** And actually, I
4 think we asked ---

5 **MS. SHANTONA CHAUDHURY:** Sorry.

6 **RT. HON. JUSTIN TRUDEAU:** --- China to remove
7 him from the country first, and when they didn't, we said,
8 "Okay. Well then we're going to have to kick him out."

9 **MS. SHANTONA CHAUDHURY:** Okay. So one last
10 chance, then he was gone.

11 I'll move now to another event that led to
12 the PNGing of a diplomat, this time an Indian diplomat, which
13 is the murder of Hardeep Singh Nijjar.

14 I'll ask the Court Registrar to pull up
15 WIT106, please.

16 So there's a few things to talk about in
17 this.

18 And if we can scroll down to paragraphs 52 to
19 55, please? There we go.

20 So the first question I'll ask you to take us
21 through, Prime Minister, is what led to your announcement in
22 the House of Commons in September 2023?

23 **RT. HON. JUSTIN TRUDEAU:** Over the course of
24 the summer, I was apprised by my intelligence services that
25 there was credible intelligence that agents of the Government
26 of India were involved in the killing of Hardeep Singh
27 Nijjar. This is something that we had actually asked the
28 intelligence agencies to look into because following the

1 rather high-profile killing months before, the initial
2 assessment was, oh, this was gang related or criminal
3 related. There was not an obvious, immediate international
4 nexus to this, and that's how we were briefed after the
5 meeting -- after the killing, in the days after.

6 However, hearing directly from a number of
7 our South Asian Members of Parliament and seeing and talking
8 with members of the South Asian community around who were
9 quite insistent that it was something that was likely
10 connected to Government of India, we actually asked
11 intelligence agencies, and it turned out they were doing this
12 anyway, to look in more closely to the circumstances around
13 this particular murder.

14 So in late July, early August, I was briefed
15 on the fact that there was intelligence from Canada and
16 possibly from Five Eyes allies that made it fairly clear,
17 credibly clear that India was involved in this killing.
18 Agents of the Government of India were involved in the
19 killing of a Canadian, on Canadian soil. This was something
20 that we obviously had to take extremely seriously. That
21 violation of sovereignty, of international rule of law with
22 extrajudicial killing in a foreign country, in a fellow
23 democracy was a massive mistake, if India had indeed done it,
24 and we had reasons to believe that they had.

25 So our immediate approach was to engage with
26 the Government of India to say -- and we had our various
27 security officials reach out to India and say, "Look, there
28 are real concerns that your security agencies were involved

1 in the killing of Nijjar. We need to work on this together
2 because that can't stand. We need to make sure that there
3 are changes and there's accountability for this process, but
4 let's try and do it in a responsible way that doesn't come
5 and blow up the relationship between Canada and India." And
6 that was the attempts we made in the month of August.

7 As we approached the end of August and
8 September, the big thing that was happening was India was
9 itself hosting the leader of -- the Summit of the Advanced
10 Economies of the World, the G20. So it was a big moment for
11 India, welcoming the world, all the leaders of the world to
12 Delhi for a very important summit. And we had the
13 opportunity of making it a very uncomfortable summit for
14 India if we went public with these allegations ahead of time.
15 We chose not to. We chose to continue to work behind the
16 scenes to try and get India to cooperate with us. Their asks
17 of us was, "Well, how much do you know? Give us the evidence
18 you have on this." And our response was, "Well, it's within
19 your security agencies. You should be looking into how much
20 they know. You should be engaging." "No, no, no, tell us
21 what you know. Show us the evidence." And at that point, it
22 was primarily intelligence, not hard evidentiary proof. So
23 we said, "Well, you know, let's work together and look into
24 your security services, and maybe we can get that done."
25 "No, no, no, we're not doing that."

26 It culminated with a conversation I had with
27 Prime Minister Modi on the -- after the end of the last
28 session of the G20 in Delhi, where I sat down and shared that

1 we knew that they were involved and expressed a real concern
2 around it. And he responded with the usual response from
3 him, which is that we have people who are outspoken against
4 the Indian government living in Canada that he would like to
5 see arrested. And I tried to explain that freedom of speech
6 and freedom of people who come to our country to be
7 Canadians, to criticize governments overseas is -- or,
8 indeed, to criticize the Canadian government is a fundamental
9 freedom of Canada. But as always, we would work with them on
10 any evidence or any concerns they have around terrorism, or
11 incitement to hate, or anything that is patently unacceptable
12 in Canada. And we have taken action in the past, we continue
13 to take action, even as, as I emphasize, and I emphasize
14 regularly, my position and Canada's position is to defend the
15 territorial integrity of India. One India is official
16 Canadian policy. And the fact that there are a number of
17 people in Canada who advocate otherwise does not make it
18 Canadian policy, but also does not make it -- is not
19 something that is illegal in Canada.

20 Having done all that, we returned to Canada,
21 and it was obvious that the Indian Government response,
22 particularly through the media, was to instead attack Canada,
23 to attack Canadians, to criticize us, to undermine our
24 government and our governance, and, quite frankly, the
25 integrity of our democracy. Combined with the fact that as
26 we approached the end of September, it looked like there was
27 going to be media stories detailing some of these allegations
28 that were getting out there.

1 On the first day that the House returned, I -
2 - we determined that it was in the interest of public safety
3 in Canada to let people know that we knew about these
4 allegations, that we were following up on them, there was an
5 investigation into them that was taken on by police services
6 in Canada to ensure that -- partially to ensure that nobody
7 in Canada and any communities felt like they needed to take
8 action themselves. That they should trust Canadian
9 institutions to take this threat seriously and follow up on
10 it. And that's exactly what we then did. We launched
11 investigations.

12 The Indian response to these allegations and
13 to our investigations was to double down on attacks against
14 this government, attacks against this government's integrity,
15 attacks against Canada in general, but also, to arbitrarily
16 eject dozens of diplomats from Canada -- from -- Canadian
17 diplomats from India on absolutely no cause other than to
18 say, well, we don't like what you said in the House about us,
19 and we're going to punish you for that.

20 This was a situation in which we had clear
21 and certainly now even clearer indications that India had
22 violated Canada's sovereignty and their response was to
23 double down and attack Canada further, rather than take
24 responsibility or say how can we fix this, yes, this was a
25 violation of the rule of law, and even take any of the many
26 offramps we offered because we don't want to be in this
27 situation of picking a fight with a significant trading
28 partner with who we have deep people-to-people ties and a

1 long history and our fellow democracies. But standing up
2 unequivocally for Canadian sovereignty and for the safety of
3 Canadians back then was essential and absolutely led to the
4 very, very clear pronouncements we made earlier this week
5 that the RCMP, the conclusions and the evidence that the RCMP
6 determined in terms of violence towards Canadians that has
7 been enabled by and directed by, in many cases, the Indian
8 Government.

9 **MS. SHANTONA CHAUDHURY:** So you made
10 reference to the allegations that were -- the announcement of
11 the RCMP earlier this week, and we know that that wasn't
12 solely connected to the Nijjar investigation, per se, it's a
13 broader thing than that, and it involves allegations of
14 interference by India in promotion of violent extremism,
15 tying agents of the Government of India to homicides, violent
16 acts, the use of organized crime, and interference into
17 democratic processes. So it's a much wider thing. And we
18 know that it led to over the past weekend the PNGing of six
19 Indian diplomats. What can you say -- and you mentioned
20 before that the hope was not to blow up the relationship with
21 India for the Nijjar murder. Obviously, things have
22 progressed since then, what comment are you able to offer on
23 what the RCMP announced on Monday and where things stand at
24 the moment?

25 **RT. HON. JUSTIN TRUDEAU:** The decision by the
26 RCMP to go forward with that announcement was entirely
27 anchored in public safety and a goal of disrupting the chain
28 of activities that was resulting in drive-by shootings, home

1 invasions and violent extortion, and even murder across
2 Canada, particularly in the South Asian community, largely
3 Sikh, but not exclusively, the Sikh community.

4 The goal of disrupting the chain that was
5 diplomats collecting information on Canadians who are
6 opponents or in disagreement with the Modi government,
7 passing along that information to the highest levels within
8 the Indian government and then having that information
9 directed through criminal organizations like the Lawrence
10 Bishnoi gang to then result in violence against Canadians on
11 the ground, it was the RCMP's determination that that chain
12 or that sequence, that scheme needed to be disrupted and
13 going public on Monday, as they did, and removing those --
14 therefore, removing those diplomats.

15 The first option was actually being able to
16 question those diplomats and interview those diplomats by
17 having them waive diplomatic immunity, they didn't. That's
18 not surprising that they didn't. Canada wouldn't waive
19 diplomatic immunity in many cases either. But therefore, we
20 had to ask them to leave the country.

21 **MS. SHANTONA CHAUDHURY:** Okay. And just to
22 be clear, when you speak of diplomats collecting information
23 in this instance, we're not talking about research and Google
24 searches. We're talking about covert, clandestine ---

25 **RT. HON. JUSTIN TRUDEAU:** No. Covert,
26 clandestine ---

27 **MS. SHANTONA CHAUDHURY:** --- coercive.

28 **RT. HON. JUSTIN TRUDEAU:** --- coercive

1 measures, threatening to withhold family visas, paying
2 sources. A range of things that the RCMP can detail if they
3 feel they -- I mean, one of the important things on this is,
4 these are ongoing -- there are ongoing court cases and
5 trials, so if the RCMP had its druthers, it wouldn't have
6 revealed any of this. It's just that it hit the threshold
7 before it came out naturally in court through our judicial
8 process, as it would -- as much of this will. But the threat
9 to public safety and the need to disrupt pre-emptively even
10 before the court cases were fully adjudicated were -- made it
11 the RCMP's decision to go public with this.

12 **MS. SHANTONA CHAUDHURY:** Okay. Well, as you
13 mentioned, there are ongoing investigations and, in that
14 sense, I think we've probably gone as far as we can go on
15 that topic, so we'll move on.

16 We can take the Najjar document down now.

17 Going back to the chain of events, I think,
18 that we can say followed the May 2023 media leaks and the
19 revelation of the PRC interest in Michael Chong, one thing
20 that we know happened was Minister Mendicino issued a
21 Ministerial directive on threats to the security of Canada
22 directed at parliamentarians.

23 And when we spoke about that initiative *in*
24 *camera*, you expressed some ambivalence towards the policy,
25 and I'm wondering if you can tell us about that.

26 **RT. HON. JUSTIN TRUDEAU:** I have very little
27 doubt that had there been genuine threats or they had been
28 deliberate threats to -- direct threats, sorry, is the word

1 that CSIS used -- direct threats to Michael Chong or his
2 family, that information would have been elevated to at least
3 the Minister of Public Safety, if not -- if not directly to
4 my office on threats to a parliamentarian. But in the
5 messiness of having a criminal leak, erroneous information to
6 the media and the attention and worries that ensued, I asked
7 Minister Mendicino to put out a clear directive that said if
8 there's any threats to parliamentarians or their families,
9 that should be automatically elevated regardless of whether
10 they are credible or single source or reliable or unreliable
11 or not. We need to elevate the attention that is given to
12 parliamentarians' safety.

13 I don't know that it's entirely necessary, if
14 I'm being honest. I have confidence that if there is a
15 threat to a parliamentarian, CSIS and our NSIA and our
16 security apparatus would take it very seriously and make sure
17 there was awareness and follow-up on it, but in the moment
18 and to show Canadians how seriously we were taking this very
19 serious issue, emitting this directive that said yes,
20 explicitly, you have to do it was a responsible step.

21 I prefer to demonstrate confidence in the
22 decision-making frame of intelligence agencies around how
23 they elevate and how they evaluate information as, okay, this
24 is really credible, we need to see this, this is not so
25 credible, but let's let the local police of jurisdiction or
26 let the RCMP know about this.

27 Like they make determinations around where
28 information should go and what should be done with it every

1 day all the time on a whole bunch of different information,
2 and being overly prescriptive is not the ideal way of doing
3 things. But in this case, I think it was a fine thing to do.

4 **MS. SHANTONA CHAUDHURY:** Okay. That's fair.

5 The next topic I want to ask you about, then,
6 is providing classified information to -- about foreign
7 interference, of course, to Party leaders, leaders of
8 political Parties or cleared representatives of political
9 Parties, as the case may be.

10 The first question I'll ask is fairly
11 general, but when you, as a Party leader, receive information
12 about potential foreign interference happening within your
13 own Party, what can you do about it? What are the options
14 available to you in such a scenario?

15 **RT. HON. JUSTIN TRUDEAU:** Oh, there are many,
16 many things I can do.

17 If it comes early enough in the process, I
18 can simply disallow a candidate from running for a nomination
19 or to be a candidate in my political Party. And a Party
20 leader, all Party leaders, have ultimate discretion because
21 Elections Canada requires that the Party leader signs off on
22 every single one of the 338 candidates they can run across
23 the country in an election, and withholding that signature
24 from a particular candidate is one of the core
25 responsibilities -- or that signature is a core
26 responsibility and powers of a Party leader. And it happens
27 at an early enough stage that if someone expresses even
28 publicly that they want to run for the Party and don't end up

1 running for the Party, there's not necessarily a scandal
2 around them not running. There could be sour grapes, there
3 could be, oh, I just had to decide to stick with -- you know,
4 family was more important or anything.

5 There's all sorts of face-saving ways in
6 which if a leader quietly says, "No, there have been concerns
7 raised, you're not going to be able to run for us but we
8 don't need to talk about it publicly. You can go back to
9 your life", that is a very effective way of having things
10 done that don't require revealing of any classified
11 information but is based on intelligence that a leader can
12 get.

13 Once someone's an actual MP, a Party leader
14 cannot fire an MP. MPs were elected by Canadians. All a
15 Party leader can do is, at the largest level, remove them
16 from their Party caucus, have them sit as an independent,
17 something that I've done many times for a range of different
18 reasons around sexual misconduct or other things. That's the
19 biggest tool a Party leader has, but there's also other
20 tools.

21 If there is an allegation around -- to use
22 the National Security and Intelligence Advisor's words
23 herself, around inappropriate behaviour or poor judgment or
24 untrustworthiness, as a Party leader I can decide which
25 committees an individual sits on or doesn't sit on, whether I
26 give them a critic role or a parliamentary secretary role or
27 even a Minister's role. We have many tools to respond
28 depending on the seriousness of the allegation. If it's that

There's lots of tools that a party leader can exert to counter real or risks of foreign interference in their party. But it requires the leader to actually be able to receive the classified information from the intelligence agencies to then turn around take action on that.

--- EXHIBIT No./PIÈCE No. CAN047007 0001:

MS. SHANTONA CHAUDHURY: So we'll just go through the document to situate us a little bit and then I'll ask you to pull up a different one.

"Intelligence details alleged foreign interference activities in Canada...directed at opposition parties...Given the serious nature of

1 the allegations,...(PCO) is working
2 with...(CSIS) to develop TOP SECRET
3 level briefings for opposition
4 parties on the intelligence."

5 Then speaks to Various political parties and
6 whether or not they have leaders who are security cleared,
7 and then the last bullet there speaks to PCO sharing a
8 protocol of more -- regarding more regular classified
9 briefings to recognized parties.

10 If we can scroll down again, please, I'll
11 tell you when to stop. Scroll through the background, I
12 think we want to get to Page 3. There we go. PCO comment
13 there, so PCO notes that informing party leaders could allow
14 them to identify the issues and take the necessary action.
15 And then says, an ad hoc approach of sharing intelligence is
16 not ideal, and we should maybe think about doing something
17 more systematic.

18 So if we can take that document down now and
19 put up WIT164, paragraph 25? This is the publicly
20 disclosable version of the conversation that was had *in*
21 *camera* about this. So I would like it up as a reference
22 point.

23 And I'll just ask you, Prime Minister, to
24 take us through from your recollection what happened here,
25 what this situation was, and what was done about it?

26 **RT. HON. JUSTIN TRUDEAU:** In paragraph 26 you
27 mean?

28 **MS. SHANTONA CHAUDHURY:** Yes.

1 **RT. HON. JUSTIN TRUDEAU:** Yeah. I received
2 the characterize here as explosive, certainly extremely
3 alarming, information around foreign interference into a
4 particular political party. And I directed CSIS to try and -
5 - or intelligence agencies, to try and ensure that the
6 opposition parties had the tools to respond to these
7 allegations, or had at least the information that would allow
8 them to do this.

9 I have to be really careful about what I say
10 here because this is all very, very, sensitive and even
11 talking about which party these allegations aimed at is
12 something I'm trying to avoid doing.

13 **MS. SHANTONA CHAUDHURY:** Fair enough. And I
14 won't ask you many more questions about them, because we are
15 treading very thin lines here. The only thing I'll just sum
16 up by saying, so essentially information came to your
17 attention, and it was through the system put to the right
18 people in the right places?

19 **RT. HON. JUSTIN TRUDEAU:** I think it is
20 perhaps useful to point out -- we don't need to pull it up --
21 but in the -- well, two things. First of all, I'm Prime
22 Minister, so I receive a tremendous amount of classified
23 information covering a broad range of individuals across this
24 country including different political parties.

25 But as leader of the Liberal Party, it is
26 awkward to say the least, to use a mild word, for me to be
27 engaging in who should run, or what consequences, or who
28 should be a critic, or who should be in what position for an

1 opposition party. So my -- as you pointed out earlier, the
2 answer was to offer classified briefings to all the leaders
3 of the parties so that they could best be positioned to take
4 the necessary actions to protect their MPs, some of whom
5 might vulnerable, some of whom might be witting or unwitting
6 around foreign interference, and therefore demonstrate to
7 Canadians that the integrity of their parties and the
8 protection of their parties from federal -- foreign
9 interference was done.

10 And that's -- that was always my instinct. I
11 shouldn't be -- I can know about it, I don't act on that
12 stuff because I don't believe in the partisan -- using
13 national security information for partisan purposes, nor
14 should any Prime Minister. But informing the leaders so they
15 can take proper actions is, I think, the right way of doing
16 things.

17 Stepping away from this specific example,
18 because I don't want to weigh into this as a specific
19 example.

20 **MS. SHANTONA CHAUDHURY:** We can take it down.

21 **RT. HON. JUSTIN TRUDEAU:** Because I am Prime
22 Minister and Privy to all these informations, I have the
23 names of a number of parliamentarians, former
24 parliamentarians, and/or candidates in the Conservative Party
25 of Canada who are engaged, or at high risk of, or for whom
26 there is clear intelligence around foreign interference. And
27 I have directed CSIS and others to try and inform the
28 Conservative Party leader to be warned and armed to be able

1 to make decisions that protect the integrity of that party,
2 of its members, from attempts of foreign -- activities around
3 foreign interference.

4 And the decision of the leader of the
5 Conservative Party to not get those classified briefings
6 means that nobody in his party, not him, nobody in position
7 of power, knows the name of these individuals and can take
8 appropriate action. It also means nobody is there to stand
9 up for those individuals if the intelligence is shoddy or
10 incomplete, or just allegations from a single source, and
11 that is something that as you've seen we are ready to
12 question intelligence when it comes towards the Liberal Party
13 members, because we need to make sure if you're going to end
14 someone's career you're doing it in a responsible way.

15 The decision of the leader of the
16 Conservative Party to not receive necessary clearance to get
17 those names and protect integrity of his party is bewildering
18 to me, and entirely lacks common sense. Particularly when
19 you look at the NSICOP report that clearly lays out -- the
20 public NSICOP report, that clearly lays out that in both of
21 the most recent Conservative leadership races there was
22 foreign interference.

23 The fact that there seems to be absolutely no
24 curiosity, or openness in trying to figure out what happened,
25 or whether someone was compromised, or whether a foreign
26 country impacted those leadership races, is simply
27 irresponsible. The fact that we see -- and then getting a
28 little more partisan than I tried to in this case, but it is

1 so egregious to me that the leader of the official opposition
2 who is certainly trying very hard to become Prime Minister,
3 he is choosing to play partisan games with foreign
4 interference and accusations around foreign interference, but
5 not taking it the least bit serious, as regards to his own
6 responsibilities as Party Leader, or even to get top
7 officials within his party briefed up as they bring on
8 candidates from across the country is inexplicable and quite
9 frankly concerning.

10 So stepping back from that, our
11 recommendation, and certainly one of the things that is
12 alluded to in some of these reports, and certainly the
13 Commission's work can be, is to indicate that it would
14 probably be pretty important that as a matter of course,
15 party leaders, certainly of the main political parties, maybe
16 not the Marxist-Leninist candidate that runs against me every
17 election in Papineau, but certainly the main political
18 parties, be given security briefings and clearances that
19 allow them to respond to the very real threats that we have
20 seen of foreign interference in their parties and that top
21 officials at the party level, as Jeremy Broadhurst was, by
22 dint of his day job in my government outside of the campaign
23 period, was able to take that information and discuss with me
24 the consequences that should be kneaded out or whether action
25 should be taken or not.

26 It is, I think, a vulnerability to foreign
27 interference that we have as a democracy that some party
28 leaders have decided not to get access to some names that

1 would be very germane for them to at least know and
2 understand the risks around.

3 **MS. SHANTONA CHAUDHURY:** Okay. Well we have
4 heard evidence, the Commission -- through the Commission's
5 proceedings that foreign interference affects or can affect
6 all political parties. That's certainly true.

7 In terms of providing information to
8 political parties, what about the -- there have been other
9 ideas suggested of how classified information might be
10 provided. For instance, if the leader is a Privy Councillor,
11 would that entitle them to receiving such information?

12 **RT. HON. JUSTIN TRUDEAU:** There are Privy
13 Councillors who were sworn in in the 70s. As an example,
14 Marco Mendicino was made a Privy Councillor when he became a
15 Minister, but now that he is no longer a Minister, in order
16 to appear before this Commission, and to deal with documents
17 that he himself had generated and worked with as Minister, he
18 needed to get security cleared once again.

19 There is a perception around this town that
20 being a Privy Councillor allows for a higher degree of
21 security clearance or access to documents than not being a
22 Privy Councillor is. That's simply not true in concrete
23 terms.

24 Ministers have access to secure documents by
25 dint of their roles of Ministers and go through a vetting
26 process that clears them for that when they are -- before
27 they are appointed Ministers, but having been a Minister
28 years ago does not give you any inherent ability to see

1 classified documents without the reupping or reinstating a
2 security clearance.

3 MS. SHANTONA CHAUDHURY: Okay. We'll leave
4 that topic for now and go to -- I'll ask the Registrar to
5 pull up the CSIS IR, which I've lost the doc ID, CAN.DOC44,
6 please.

7 --- EXHIBIT No./PIÈCE No. CAN.DOC.000044:

8 Canadian Security Intelligence
9 Service (CSIS) Stage 2 Institutional
10 Report - unclassified

11 MS. SHANTONA CHAUDHURY: So Prime Minister,
12 this is -- the questions I want to ask you around this around
13 about the Commission -- and it does relate a little it to the
14 last point you were making, but the Commission essentially
15 asked the government in its proceedings to come up with a
16 list of the significant instances of foreign interference in
17 Canada's democratic institutions and electoral processes over
18 the period of the Commission's review. And this exercise
19 sort of seems broad. Everyone around the table considering
20 what was initially a longer list produced by CSIS, and what
21 was eventually obtained was a consensus list of these six
22 instances.

23 Many of the incidents that we've heard about
24 over the Commission's proceedings are actually not on this
25 list, but there are six that are there.

26 So the first thing I'll ask you is specific,
27 and then I'll actually go to some more general ones, but in
28 terms of being informed about instances as a party leader,

1 the second bullet there on that list reads:

2 "Reporting indicates [that] a foreign
3 government undertook several actions,
4 including interference, to reduce the
5 likelihood of a specific Liberal
6 candidate from being elected
7 federally. It is suspected that the
8 foreign government sought to thwart
9 the candidate's bid given their
10 support for issues perceived to be
11 contrary to the foreign government's
12 interests."

13 And am I correct in saying that this never
14 came to your attention, this particular instance, before the
15 Commission's proceedings?

16 **RT. HON. JUSTIN TRUDEAU:** Yes. The list of
17 six were all -- I expected that -- as I said, I have access
18 to, you know, regular intelligence briefings and updates on
19 these things. It was surprising to me to see number two on
20 this list, because I had no idea. And there are lots of
21 details about this that I know that I am -- I continue to be
22 astonished that I was not apprised of this, because it was
23 relevant in a whole bunch of different ways and would have
24 been very relevant at the time.

25 But I also understand, without being able to
26 give too much timing or details around this, that processes
27 we have in place now would have meant that that there is no
28 doubt I would have been informed about this incident, were it

1 happening now. When it happened, we did not have the
2 measures that we have subsequently put in place.

3 **MS. SHANTONA CHAUDHURY:** Okay. Understood.
4 So this is one you would have liked to see?

5 **RT. HON. JUSTIN TRUDEAU:** Yes.

6 **MS. SHANTONA CHAUDHURY:** Okay.

7 **RT. HON. JUSTIN TRUDEAU:** I would have liked
8 to have seen this one.

9 **MS. SHANTONA CHAUDHURY:** Another thing we've
10 heard about the development of this list is, as I said, it
11 brought Deputy Ministers around the table having
12 conversations about whether some of these instances were or
13 were not foreign interference. And you mentioned earlier in
14 your remarks that there can be different perspectives across
15 government on whether activities are really standard
16 diplomatic activity, for example, or foreign interference.
17 How do those -- how do you see those debates happening, from
18 your vantage point as Prime Minister, for sort of in the
19 existential sense. Like, is this a good thing? And when
20 does it come to you and what do you see? Are different
21 perspectives brought to your attention or how does this play
22 out?

23 **RT. HON. JUSTIN TRUDEAU:** I think it is a
24 very, very good thing that on something as important and
25 sensitive as foreign interference by another state, that
26 there be different perspectives looking at it.

27 You know, as I said, our diplomats in the
28 United States were very alert to, you know, which members of

1 Congress or which Governors might be helpful in making a case
2 for a more successful NAFTA renegotiation than others, and
3 that involved a lot of, sort of, conversations and looking
4 into voting records, and, you know, lunches by diplomats in
5 place. And that -- gathering information on foreign
6 parliamentarians is a core part of diplomacy. And that can
7 be foreign influence, which is something that diplomats are
8 actually hired to do and is a primary job around the country,
9 make sure that the government of the country that you're in
10 representing Canada is -- looks favourably upon Canada,
11 without crossing into interference.

12 Now, it is possible to use information
13 collected for purposes of influence to then turn around and
14 use it for interference. If a diplomat were to collect the
15 home address of a particular parliamentarian to be able to
16 send them a personal note or a Christmas card that didn't go
17 through the Office, that would seem, okay, I'm trying to
18 influence them, make them friendly. That's the work of
19 diplomacy. If that foreign address that -- that home address
20 was then used to organize a massive intimidation protest in
21 the street in front of that person paid for by a foreign
22 country, that would be foreign interference or that would be
23 much more serious.

24 So there is a bit of a continuum on this, and
25 having discussions between Global Affairs Canada diplomats
26 and intelligence agencies, and spies, and, you know, on the
27 push-pull of what is appropriate, what is inappropriate, what
28 is problematic is more of an art than a science. I mean, it

1 can involved intent, it can involve what -- whether it's a
2 friendly country doing it or an unfriendly country doing it,
3 why they're doing it, what preoccupations there are. You
4 know, there is nuance that is not just across departments,
5 but even within departments.

6 You can have different people within Global
7 Affairs having a different perspective on that. And all
8 those debates and discussions, I think, are a strength of our
9 system that allow us to come to much more thoughtful answers
10 or measures to take in complex and perhaps delicate
11 situations.

12 So you know, having those engaged, thoughtful
13 debates in government and even, quite frankly, to a certain
14 extent, understanding that there are complexities in it for a
15 public engaging with how to protect ourselves from foreign
16 interference is very key.

17 I think of the Baltic states example when
18 Canada positioned itself as the country lead on the enhanced
19 forward presence in NATO by positioning troops in Latvia.
20 One of the things that we learned about very quickly was the
21 incredibly robust system that citizens in Latvia had to
22 detect and deter and render ineffective Russian
23 disinformation because Russia is constantly flooding the zone
24 in the Baltic states. And they have a very sophisticated and
25 attentive population in knowing that this piece of
26 information is just Russian propaganda or disinformation that
27 I think Canada is moving towards, but we are not as far
28 forward as some other countries may be in terms of detecting

1 misinformation and disinformation from hostile state actors.

2 **MS. SHANTONA CHAUDHURY:** So when these
3 different perspectives may exist in government, do your
4 officials make you aware of them so that you know that maybe
5 CSIS has a different view on something from GAC?

6 **RT. HON. JUSTIN TRUDEAU:** Yes.

7 **MS. SHANTONA CHAUDHURY:** Does this come to
8 your attention?

9 **RT. HON. JUSTIN TRUDEAU:** Yes, absolutely.
10 Either actually in person by watching the Director of CSIS
11 and the Deputy Minister of Foreign Affairs, you know, have a
12 conversation back and forth about a particular thing, or it
13 is obvious in the briefings come to me where it says CSIS
14 will -- leans on this way, but the diplomats say that this
15 might be it, and, at the same time, the Clerk's decision is
16 this.

17 One of the reasons that I've said I prefer to
18 have active engaged discussions around intelligence is it
19 allows us to challenge and bring together those different
20 points of view and different perspectives to get a better
21 picture than simply one document that perhaps summarizes
22 different elements but is written by one person in one
23 department and not another.

24 **MS. SHANTONA CHAUDHURY:** Okay. And I --
25 Madame la Commissaire, je vois que je... il ne
26 me reste plus de temps, mais j'ai encore deux sujets à
27 aborder avec le Premier ministre, si ça...

28 **COMMISSAIRE HOGUE:** Allez-y.

1 **MS. SHANTONA CHAUDHURY:** Parfait.

2 So Prime Minister, the next -- I do have a
3 couple more questions to ask you.

4 The next one is on a different topic now and
5 something that we spoke about at great length *in camera*, so I
6 think we'll have the Reader's Digest of this conversation
7 today. But the vulnerability of political Party processes to
8 foreign interference that have been raised *à maintes fois* in
9 the Commission's proceedings.

10 And we know that Elections Canada will soon
11 be making some suggestions or recommendations as to things
12 that might be done to ameliorate this situation.

13 Can you give us your viewpoint on the idea of
14 increased oversight or increased regulation of internal
15 political Party processes for the purpose of dissuading
16 foreign interference?

17 **RT. HON. JUSTIN TRUDEAU:** First of all, there
18 is already oversight and regulations over political Parties
19 in Canada that we all understand is important and necessary.
20 I think of the very strict election financing rules, how a
21 political Party can raise money, how it is accountable for
22 every dollar it raises, from whom it receives money, what it
23 can spend the money on, how it needs to account for it.
24 That's a really important principle that applies to all
25 political Parties and is sort of foundational for our
26 democracy.

27 So the idea that, in our democracy, we should
28 regulate political Parties is well established that, yes,

1 there are many things in which it's important to uphold the
2 freedom and openness of our democracy that we regulate
3 political Parties.

4 In C-70, we actually indicate with greater
5 clarity and legislate around foreign interference in
6 political Parties as being illegal.

7 I mean, these are things that -- yes, there
8 are certainly things that governments and our democracy
9 should do to ensure the accountability and responsibility of
10 political Parties.

11 However, when we get into the issue of
12 determining how a political Party picks its candidates or who
13 gets to be the ultimate decision-maker in a political Party
14 or how to structure a political Party internally or how to
15 run its nominations, we get into an area that I think one
16 needs to tread very, very carefully.

17 I mean, one of the things we see first in
18 authoritarian countries like Venezuela, to use an extreme
19 example, is the government regulating what Opposition Parties
20 can do or say or how they can organize themselves or how they
21 fund their -- fundraise, is a great way for a Party in
22 government to control and render ineffective Opposition
23 Parties. And that is the last thing that we would ever want
24 in Canada.

25 I think it's extremely important that
26 political Parties have a large degree of autonomy in their
27 operations, independence in how they choose to operate and
28 function as political Parties, as Opposition Parties

1 particularly, but that comes with it a responsibility by
2 those political Parties to be able to demonstrate the
3 processes in place that they have to reassure Canadians, but
4 particularly their members, that they are not arbitrary, they
5 are not subject to whims or influence or interference by
6 foreign interests or special interests across the country.

7 That's why, for example, in our Party we have
8 nomination races that have very clear requirements that need
9 to be hit within the Party frame. We have an appeals process
10 for anyone who loses the nomination. We have scrutineers and
11 lawyers that every Party gets to have on every candidate's
12 team, gets to have in the nomination process to ensure that
13 it's a rigorous process.

14 We've created many, many mechanisms like that
15 because, you know, the Liberal Party has had nomination races
16 of six, seven, eight thousand people contesting for a single
17 nomination -- sorry, 7,000 members supporting a handful of
18 candidates contesting for a particular nomination.

19 Are there things that can be done to give
20 political Parties more information and better access to it?
21 Well, the first one is making sure people, at least someone
22 in a decision-making position at the top of the Party,
23 structure, the Party organization, the campaign director or
24 someone like that, gets the necessary security clearance so
25 that if CSIS or other see flags they can carry that to the
26 Party or inform the leader about it so the leader can make
27 sure that the processes, whether it's a leadership race or a
28 nomination race, can account and say publicly these are --

1 this was not interfered with.

2 I think it's on the Party itself to
3 demonstrate the measures it has taken to protect itself from
4 interference rather than a government or even Elections
5 Canada weighing in and saying, "You have to do this, this,
6 this to protect from foreign interference".

7 I think it is better for Canadians and media
8 and oppositions to be calling out where a Party does not have
9 robust processes in place and is not taking seriously the
10 threats of foreign interference, but overly prescribing or
11 regulating the organization, the behaviours, the structure,
12 the decision-making processes within parties by what is
13 necessarily one party in a position of power in government is
14 something that I think requires a lot of caution. But there
15 are many things that could be recommended for parties to take
16 on as tools to keep them safe, that I'm certainly hoping that
17 Elections Canada and the Commission's work will highlight
18 that are important principles for how parties can protect
19 themselves from interference.

20 **MS. SHANTONA CHAUDHURY:** Okay. Moving now to
21 a topic that you've raised on a couple of occasions already
22 in your remarks but not completely directly; it's the
23 classified NSICOP Report.

24 So as you may know that the Commission was
25 charged with looking into the NSICOP Report, and has done so.
26 And we've heard some evidence over that process, which I'll
27 just -- I'll highlight a couple of things that came out from
28 that process and that investigation.

1 One of them is some questions raised as to
2 the strength of the conclusions that NSICOP expressed versus
3 the strength of the assessments that CSIS actually made. So
4 NSICOP's conclusions are NSICOP's, not CSIS's. There are
5 also instances in which some discrepancies may have been
6 found between the conclusions that get made and the
7 underlying intelligence.

8 We've heard concerns in these proceedings
9 from two of your -- well, your former Minister, Mr.
10 Mendicino, current Minister, Minister LeBlanc, about the
11 strength of the public reaction to the NSICOP Report. And
12 I'm wondering if you can comment that, having, of course,
13 read the classified NSICOP Report and having knowledge of its
14 contents?

15 **RT. HON. JUSTIN TRUDEAU:** I created the
16 National Security and Intelligence Committee of
17 Parliamentarians for a very specific purpose; to make sure
18 that parliamentarians from all different parties would be
19 able to look into everything that our national security
20 agencies are doing, with at least two clear goals; one is to
21 make sure that our national security agencies are behaving
22 appropriately and not violating Canadians' fundamental rights
23 or overreaching or, you know, or doing the bidding of one
24 particular government versus the well interests of Canadians.

25 Just about every one of our democratic major
26 democracy partners has oversight by parliamentarians of their
27 national security agencies. Canada did not, and the previous
28 Conservative Government refused to even begin to entertain

1 the idea that parliamentarians should have the ability to
2 oversee national security agencies. I felt strongly that we
3 needed that, and that's why it was one of the first things
4 that we did, worked on, in terms of national security.

5 The second reason NSICOP is important is --
6 the first reason is to make sure there's not overreach into
7 -- and there's other mechanisms as well, like NSIRA, to make
8 sure there's not overreach into Canadians' fundamental
9 rights. But the second is to make sure that national
10 security agencies are taking seriously all the threats and
11 acting in appropriate ways to counter the threats.

12 But being a body that's only come into being
13 about eight years ago, and being one -- or less than that,
14 six years ago, being one that as recently as just a year or
15 two ago in the House of Commons is still contested as to its
16 legitimacy and usefulness, it's still very much in a learning
17 process. It's trying to figure out how to manage a very
18 multipartisan structure in a highly polarized and partisan
19 environment. When it comes to something like foreign
20 interference, that is such a contentious and worrisome topic
21 that you can imagine that any pronouncement that gets out,
22 whether it's a criminal leaking information to the newspaper,
23 or NSICOP, you know, putting out a report, or this
24 Commission's televised hearings, is generating a lot of
25 interest.

26 Did NSICOP get everything right in its
27 report? As CSIS pointed out there were some discrepancies.
28 But I don't think that's automatically a bad thing. I think

1 that's part of making sure there are different tools and
2 different perspectives and different organizations working on
3 similar challenges from different things. Yes, there's some
4 of the things that NSICOP put in there that I really would
5 have rather they didn't frame that way because it worried
6 Canadians and, you know, talked about traitors in Parliament,
7 when that is not the assessment that our intelligence
8 agencies put forward. But it's salacious and it sells
9 newspapers, and it worries Canadians, so it got put to the
10 fore.

11 I see this more as part of growing pains as
12 building mature, not just institutions around national
13 security within and around government and Parliament, but a
14 part of the learning process that citizens get to be part of
15 in figuring out how to talk about real threats and how to
16 evaluate in our democracy, you know, where the lines are and
17 how to best protect our democracy without harming the exact
18 things that make us a free and open democracy. And those are
19 sophisticated conversations that can't just happen within
20 governments or within commissions but can and should happen
21 as part of active, engaged debate, discourse, and political
22 conversations between elections and during elections.

23 So, yeah, there's some things that I feel,
24 certainly with all the perspective I have and all the direct
25 briefings I have from CSIS, that they didn't get quite right,
26 but I'd much rather have an effective and confident NSICOP
27 committee that goes forth and draws its conclusions and says
28 things that we will all learn to say, "Okay, yeah, they got

1 this right. They maybe were off a little bit on this, but
2 this helps us advance this understanding and CSIS was able to
3 come out and correct the record on this. And some of the
4 things that NSICOP had talked about, CSIS had actually made a
5 little bit of a mistake, and that's where NSICOP's Report
6 was." So that's thoughtful as well.

7 So for me it's all part of a system that is
8 robust and serious, but because we're in an open, free
9 democracy that stands up for everyone's rights, that is
10 working hard to get it right but that we don't always need to
11 expect perfection from. And when, as consumers of
12 intelligence materials, individuals and media and Opposition
13 parties become more and more experienced at it, more
14 thoughtful about it, Canada will be even better served than
15 we are right now in the important debates we have around
16 foreign interference.

17 **MS. SHANTONA CHAUDHURY:** So maybe it's not
18 about getting everything right but contributing to the
19 building of a national discourse?

20 **RT. HON. JUSTIN TRUDEAU:** Absolutely,
21 although it would be nice get more things right too, at the
22 same time.

23 **MS. SHANTONA CHAUDHURY:** Fair enough.
24 Madame la Commissaire, ce sont toutes mes
25 questions.

26 **COMMISSIONER HOGUE:** Merci beaucoup.

27 **MR. GIB van ERT:** Commissioner, before we
28 break, ---

1 **COMMISSIONER HOGUE:** Yes.

2 **MR. GIB van ERT:** It's Gib van Ert for
3 Michael Chong.

4 I see Commission counsel has taken an extra
5 30 minutes in her examination. Pursuant to the O'Connor
6 Rule, ---

7 **COMMISSIONER HOGUE:** Eighteen (18).

8 **MR. GIB van ERT:** I had thought we were
9 finishing at 11:50.

10 **MS. SHANTONA CHAUDHURY:** The clock says 18.

11 **COMMISSIONER HOGUE:** That's okay. Just go
12 on.

13 **MR. GIB van ERT:** Okay. Well, we'll figure
14 out exactly how much extra, but pursuant to the O'Connor Rule
15 that governs in this proceeding, that extra time should be
16 allocated to the parties for their cross, to ensure that
17 Commission counsel's time and the parties' time is equal.

18 So I'm asking that we be given that extra
19 time. We'll have to figure out between ourselves how to
20 allocate it, but I wanted to bring that to your attention
21 straight away.

22 **COMMISSIONER HOGUE:** Okay. Let me look into
23 this issue at lunchtime but we'll let you know through an
24 email.

25 **MR. GIB van ERT:** Thank you, Commissioner.

26 **COMMISSIONER HOGUE:** So we'll take a shorter
27 break today, so -- lunch today, so make sure to come back at
28 no later than 1:20.

1 **THE REGISTRAR:** Order, please. À l'ordre,
2 s'il vous plaît.

3 This sitting of the Commission is now in
4 recess until 1:20 p.m. Cette séance de la commission est
5 maintenant suspendue jusqu'à 13 h 20.

6 --- Upon recessing at 12:22 p.m./

7 --- La séance est suspendue à 12 h 22

8 --- Upon resuming at 1:21 a.m./

9 --- La séance est reprise à 13h21

10 **THE REGISTRAR:** Order please. À l'ordre,
11 s'il vous plaît.

12 This sitting of the Foreign Interference
13 Commission is now back in session. Cette séance de la
14 Commission sur l'ingérence étrangère est de retour en
15 session.

16 The time is 1:21 a.m. Il est 13h21.

17 **COMMISSAIRE HOGUE:** Bon après-midi. Alors,
18 Maître van Ert, je vous dois des excuses. Vous aviez raison,
19 c'était presque 30 minutes; le 18 minutes que j'avais était
20 simplement pour la période après la pause. Alors, il y aura
21 effectivement 30 minutes additionnelles qui seront accordées
22 pour les contre-interrogatoires; une partie, par ailleurs, de
23 ce 30-minutes-là sera allouée au Procureur général.

24 Je pense que vous avez reçu l'information
25 quant au temps qui vous sera alloué.

26 So I think you have received through emails
27 the time that will be allocated to you for your cross-
28 examination. But just in case ---

1 Commission is now back in session. Cette séance de la
2 Commission sur l'ingérence étrangère est de retour en
3 session.

4 The time is 1:29 p.m. Il est 13 h 29.

5 **--- RT. HON. JUSTIN TRUDEAU, Resumed/Sous le même serment:**

6 **COMMISSAIRE HOGUE:** Alors, on a pu régler le
7 petit contretemps.

8 Just to make sure that everyone has the right
9 time, I'm going to indicate the time allocated to each and
10 every one. So it will be Sikh Coalition will go first for 15
11 minutes. Michael Chong's counsel will go second for 20
12 minutes. After that, counsel for Han Dong 10 minutes.
13 Counsel for Erin O'Toole 10 minutes. Counsel for Jenny Kwan
14 15 minutes. Conservative Party 15 minutes, Human Rights
15 Coalition 11 minutes, UCC 10 minutes, RCDA 12 minutes, the
16 Concern Group 12 minutes, and the Attorney General 20
17 minutes. If need be, there will be re-examination by
18 Commission counsel as usual, but it's not counted in the 30
19 minutes. And we'll take a break after the Conservative
20 Party's cross-examination.

21 Before starting the cross-examination, I have
22 two questions for you, Mr. Prime Minister.

23 **RT. HON. JUSTIN TRUDEAU:** Vous pouvez le dire
24 en français aussi.

25 **COMMISSAIRE HOGUE:** Je vais vous les poser en
26 français, ça fait curieux d'avoir deux francophones qui se
27 parleraient en anglais.

28 **RT. HON. JUSTIN TRUDEAU:** C'est une mauvaise

1 chose, donc on va l'éviter.

2 **COMMISSAIRE HOGUE:** Alors, je vais vous les
3 poser en français.

4 Vous avez dit tantôt à la fin de votre
5 témoignage que vous préféreriez voir NSICOP peut-être aller
6 trop loin ou trop fort plutôt que de ne pas bénéficier de
7 leur analyse et que, notamment, cela permettait d'avoir un
8 débat sain autour de la question.

9 Ce que j'aimerais savoir, c'est comment vous
10 envisagez la possibilité d'avoir un débat à l'égard de ce qui
11 a été rapporté suite au dépôt du rapport public de NSICOP
12 dans la mesure où leurs travaux sont essentiellement fondés
13 sur des renseignements qui sont classifiés.

14 **RT. HON. JUSTIN TRUDEAU:** Je pourrais même
15 voir... tout d'abord, je préférerais évidemment que NSICOP soit
16 exact et précis et bien fondé dans tout ce qu'ils sont en
17 train de dire et rapporter. Mais on comprend que c'est un
18 organisme, une organisation qui est assez nouvelle et qui est
19 en train de développer ses façons de faire, et pour moi,
20 d'avoir des... de l'apprentissage là-dedans, c'est tout à fait
21 normal pour une institution qu'on espère va durer pendant des
22 décennies et bien défendre les intérêts du Canada.

23 Certainement, quand NSICOP a rapporté son
24 dossier, j'ai demandé au ministre de la Sécurité publique de
25 publier une réplique à leur rapport pour expliquer... pour
26 remercier pour leur travail, mais expliquer qu'il y avait des
27 éléments sur lesquels on n'était pas tout à fait alignés,
28 qu'on trouvait qui étaient peut-être légèrement erronés.

1 Pour moi, le débat important se passe à
2 l'intérieur du gouvernement entre NSICOP qui est en train
3 d'apprendre et dire, « OK, la prochaine fois peut-être qu'on
4 ne devrait pas trop aller loin comme ça ou... », tout ça, c'est
5 des ajustements internes, je pense que vous faites bien de le
6 souligner que d'avoir un grand débat public sur NSICOP, dans
7 lequel NSICOP se défend, c'est peut-être pas nécessaire, mais
8 même avoir des articles et des analyses de journalistes, de
9 chroniqueurs, des conversations entre Canadiens qui voient,
10 OK, le ministre a dit ceci, NSICOP a dit cela, je pense que
11 ça fait partie de l'expérience vécue qu'on doit tous
12 accumuler au niveau des matières de sécurité de renseignement
13 et d'interférence.

14 **COMMISSAIRE HOGUE:** Et à ce moment-là, j'ai
15 une question qui découle de votre réponse, et sans aucunement
16 préjuger de... comme vous le savez, on est... on doit aussi
17 regarder le rapport NSICOP, alors je ne veux pas préjuger du
18 tout des conclusions auxquelles on pourrait parvenir, mais
19 est-ce que vous voyez là un risque s'il devait y avoir, que
20 ça soit des erreurs comme certains ont identifiées ou une...
21 peut-être une... des termes plus forts que ce qui peut-être
22 était ceux utilisés par le Service de renseignement, est-ce
23 que vous ne voyez pas là par ailleurs un risque sérieux que
24 la confiance dans les institutions soit diminuée par un
25 rapport public qui ne peut pas être corrigé nécessairement...

26 **RT. HON. JUSTIN TRUDEAU:** Sauf que...

27 **COMMISSAIRE HOGUE:** ...uniquement compte tenu
28 des informations classifiées ?

1 **RT. HON. JUSTIN TRUDEAU:** Mais elle a été
2 corrigée par le rapport... la réponse du ministre qui a
3 souligné qu'il y avait des éléments avec lesquels nous, en
4 tant que gouvernement, on était en désaccord, et, ben, ce
5 processus, c'est sûr, on n'aura pas toujours une commission
6 d'enquête sur tous ces rapports-là, mais je pense que
7 l'apprentissage qui s'est passé dans ce processus va amener
8 et NSICOP, et ceux qui lisent et analysent les rapports de
9 proche à mieux pouvoir juger des informations et de l'analyse
10 présentée.

11 Je pense qu'il faut souligner aussi qu'il y a
12 rarement du noir et du blanc agressifs en termes de... ou très
13 clairs au niveau des analyses de renseignement et
14 d'intelligence. C'est toujours une certaine... une certaine
15 approche de débats, et de réflexions, et d'analyses, ce qui
16 veut dire que, pour moi, d'avoir plus de perspectives, même
17 si ce n'est pas parfait, certainement dans les premières
18 années, nous permet de développer une expertise qui va être
19 plus forte dans les années à venir.

20 **COMMISSAIRE HOGUE:** D'accord. Merci.

21 Deuxième question, en fait qui devient la
22 troisième, vous avez indiqué qu'il faut être très prudent
23 avant de réglementer ou légiférer d'une façon quelconque,
24 notamment tous les processus de course à l'investiture qui
25 peuvent être mis sur pied par les divers partis politiques.

26 Vous avez par ailleurs ajouté à cela que
27 l'important, selon vous, c'est que les partis politiques
28 rendent compte de la rigueur, en fait des règles qu'ils

1 mettent en place.

2 Est-ce que vous avez une suggestion quant à
3 la façon dont cette reddition de comptes là devrait être
4 exigée de la part des partis politiques ?

5 **RT. HON. JUSTIN TRUDEAU:** Dans l'idéal, ce ne
6 serait pas des règles imposées par la législation, par un
7 gouvernement, ou même par Élections Canada. Ce serait des
8 attentes des citoyens, de la redevabilité devant des
9 journalistes, des membres du parti qui exigeraient qu'un
10 parti démontre comment ils sont en train de suivre une
11 certaine rigueur et de se protéger pour que les électeurs
12 puissent évaluer.

13 Ça ne veut pas dire qu'il n'y a pas de façon
14 de légiférer ou de demander à Élections Canada de se pencher
15 un peu plus. Pour moi, l'exemple, c'est toujours... il y a des
16 partis politiques – j'avais mentionné le Parti marxiste-
17 léniniste, par exemple – pour qui la rigueur dans leur
18 structure est peut-être différente de ce qu'on pourrait
19 attendre d'un parti qui voudrait former le gouvernement ou
20 tenir la balance du pouvoir à la Chambre des communes.

21 Il ne faut pas... il faut faire attention quand
22 on est en train d'exiger certains comportements ou procédures
23 d'un parti politique de ne pas créer des barrières à la
24 formation, à la création de partis politiques dans une
25 démocratie libre et ouverte. Il faut faire attention de
26 toujours permettre à nos instances démocratiques de
27 s'organiser de façon intégrée à l'opposition et la proposition
28 qu'ils veulent mettre de l'avant pour le pays.

1 Donc, tu sais, je suis pas en train de dire
2 non, y'a pas des moyens de le faire, mais c'est avec
3 énormément de soin pour ne pas venir nuire à notre démocratie
4 qu'on essaye de protéger notre démocratie.

5 **COMMISSIONER HOGUE:** Merci.

6 So we'll begin with the cross-examination.
7 So first one is Mr. Singh for the Sikh Coalition.

8 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

9 **MR. PRABJOT SINGH:**

10 **MR. PRABJOT SINGH:** Thank you, Commissioner.

11 Mr. Trudeau, my name is Prabjot Singh for the
12 Sikh Coalition. You spoke to Commission counsel earlier
13 about this intricate network of Canada-based Indian
14 diplomats, senior government officials in India, and then the
15 Lawrence Bishnoi Gang and who went on and engaged in violence
16 in Canada. So before we move into some of the more
17 substantive issues, I just want to clarify and confirm a
18 couple of facts for the record. You spoke about a number of
19 ways that diplomats covertly and illegally collected
20 information on individuals in Canada, including threatening
21 to revoke visas. Some of the information that was collected
22 by diplomats was also done by coercion, including threats of
23 violence against family members in India; correct?

24 **RT. HON. JUSTIN TRUDEAU:** I am very aware
25 that there is an ongoing RCMP investigation, and, indeed,
26 trials and court cases on these issues, so I really would be
27 hesitant to venture much further than I already have into in
28 which what I was saying was pretty much repeating what the

1 RCMP announced on Monday. I wouldn't want to go further in
2 characterizing things that are questions better asked of the
3 RCMP.

4 **MR. PRABJOT SINGH:** Sure. That's totally
5 fair. So the RCMP's press release and its comments at the
6 press conference stated that organized crime was used to
7 execute the violent activities to create the perception of an
8 unsafe environment targeting the South Asian community in
9 Canada. Do you recall that?

10 **RT. HON. JUSTIN TRUDEAU:** Yes.

11 **MR. PRABJOT SINGH:** So I think you would
12 agree that this is quite an alarming and intrusive attack on
13 Canada. So this goes beyond simple disinformation and
14 amplifying narratives in the media that Canada is unsafe.
15 These individuals and government officials actually
16 orchestrated violence to make people feel unsafe and come to
17 that conclusion. Is that fair?

18 **RT. HON. JUSTIN TRUDEAU:** I'd actually say
19 there seemed to be two goals in this. One is, yes, to make
20 Canadians, particularly South Asian Canadians, feel less safe
21 here in their own country, but secondly is actually to help
22 prove a point that India -- or, sorry, the Indian Government
23 has been trying to make about Canada for quite some time,
24 that we are a country that doesn't take seriously violence or
25 terrorism or incitements to hatred, which are -- is entirely
26 false. But failing an ability to point out how Canada has
27 been supposedly failing to prevent violence, it seems like
28 folks within the Indian Government have decided to create

1 violence and unlawfulness in Canada as a way of demonstrating
2 the point that they are trying to make, that there is
3 violence and unlawfulness in Canada. And I think that is
4 exceptionally egregious as an approach to a -- as a neighbour
5 -- a sovereign democracy.

6 **MR. PRABJOT SINGH:** So you also indicated to
7 Commission counsel earlier that the diplomats were passing
8 information to officials at the highest level of the Indian
9 Government, who then would pass on the information to the
10 criminal gangs to orchestrate the violence. So given that
11 reality, this was not just a rogue operation of a few
12 individuals that went off track. At some level, in some
13 form, there was a clear policy decision that was authorized
14 and directed by responsible members of the Government of
15 India to orchestrate this violence. Is that fair?

16 **RT. HON. JUSTIN TRUDEAU:** I think that is an
17 extremely important question. And that is a question that
18 actually we have been repeatedly asking the Government of
19 India to assist us on and to get to the bottom of. The
20 question of whether it is or could be rogue elements within
21 the government, or whether it was a more systemic, systematic
22 endeavour for the Government of India is exactly the kind of
23 thing that for investigators here on the ground in Canada, it
24 is, you know, somewhat removed from being able to uncover the
25 internal machinations of the Indian Government of who went
26 wrong, or who did this, or who did that. That's why from the
27 very beginning we have been asking for India -- of the Indian
28 Government to take these allegations seriously and proceed

1 with their own investigations and work with us on figuring
2 out exactly how these egregious violations of Canadian
3 sovereignty actually happened.

4 **MR. PRABJOT SINGH:** Are you aware of public
5 statements made by Prime Minister Modi in spring of this year
6 where he said something to the effect of today's India
7 doesn't send the dossiers to other countries to request
8 assistance. Today's India will kill our enemies in their
9 homes. Are you aware that that statement was made publicly
10 by the Prime Minister?

11 **RT. HON. JUSTIN TRUDEAU:** That was a public
12 statement that I am aware of. Maybe not in those exact
13 words, but ---

14 **MR. PRABJOT SINGH:** Sure. Something to that
15 effect. So you spoke earlier about the geopolitical
16 instability and context that we exist in right now and how it
17 intersects with different foreign interference threats. So I
18 think you would agree that the Modi Government autocratic
19 behaviour, in terms of these specific violent acts that have
20 been carried out over the past year or two, is a threat not
21 only to Canada's sovereignty and institutions, but a very
22 real threat to the international rules-based order itself.

23 **RT. HON. JUSTIN TRUDEAU:** One of the reasons
24 we have been so deeply engaged with our allies, particularly
25 our Five Eyes allies of the United States, the UK, New
26 Zealand and Australia, on this we are a tight security
27 partnership as five countries, but also others, is because we
28 are seeing right now around the world a pulling back of the

1 rule of law, contesting of the international rules-based
2 order, whether it be Russia's illegal invasion of Ukraine,
3 whether it be China's coercive diplomacy as evidenced by the
4 arresting of the arbitrary detention of two Michaels.
5 Ensuring that, amongst our community of nations, particularly
6 democracies that purport to be and aspire to be rule of law
7 countries, that we be there to highlight and stand strongly
8 against violations of international law is really important.
9 So this is something that we have highlighted to allies and
10 it's something that many, many countries around the world
11 share of concerns that if we don't have the rule of law and
12 the international rules-based order at this particular
13 complex moment in global history, then everyone becomes less
14 safe, and everyone is poised to suffer, either economically
15 or worse.

16 **MR. PRABJOT SINGH:** So that's a helpful kind
17 of exposition on the rules-based order in general. The
18 question was whether India's violent activities and attacks
19 against Canada and Canadians, you would consider them a
20 threat against the rules-based order and stability on the
21 geopolitical stage.

22 **RT. HON. JUSTIN TRUDEAU:** I think ---

23 **MR. PRABJOT SINGH:** Specifically with
24 relation to these acts.

25 **RT. HON. JUSTIN TRUDEAU:** --- I think I have
26 been very clear that Canada, as a country of the rule of law,
27 will always stand up for the rules-based order, regardless of
28 whether it is the arbitrary detention of two Michaels by

1 China, or actions that we've -- that the RCMP highlighted
2 earlier this week that involves India government engaging in
3 facilitating violence in Canada against Canadians. This is
4 something we will always take very seriously.

5 **MR. PRABJOT SINGH:** So a significant amount
6 of attention in the Government's communications this week
7 focused on disrupting India's capabilities, but in the
8 context of a sustained campaign of violence that lasted at
9 least a year, I would suggest that accountability for those
10 responsible is crucial to deterring this kind of violence.
11 So my question is about what steps Canada can and will take
12 to ensure that the senior officials who actually orchestrated
13 and authorized this are held accountable. Will Canada apply
14 targeted sanctions against RAW, India's intelligence agency,
15 as well as those officials found to be responsible in an
16 investigation in order to push India to cooperate?

17 **RT. HON. JUSTIN TRUDEAU:** The primary driver
18 of the government's actions in this case, and in most if not
19 all cases, is ensuring the safety and security of Canadians.
20 That is one of our top foreign policy goals, always, and we
21 will continue to look at things we can do to ensure that
22 Canadians are safe in Canada and when they travel overseas.

23 Many of our foreign policy positions have
24 flowed from that, and that will always be the lens with which
25 we look at any possible future decisions. And I'm not -- so
26 I'm not going to hypothesize about what steps we might need
27 to be taking to keep Canadians safe. What I can say is the
28 steps that we have taken so far have been focused on ensuring

1 greater safety for Canadians, ensuring our ability to keep
2 Canadians safe by disrupting networks that were causing
3 significant violence to Canadians.

4 **MR. PRABJOT SINGH:** So I don't think that
5 really answered the question about accountability.

6 **RT. HON. JUSTIN TRUDEAU:** No, it didn't.

7 **MR. PRABJOT SINGH:** But I'm going to move on.

8 **RT. HON. JUSTIN TRUDEAU:** That's a good idea.

9 **MR. PRABJOT SINGH:** You mentioned Prime
10 Minister Modi's comments to you in September 2023, urging
11 Canada to arrest people who are outspoken against the Indian
12 government. We've also heard evidence from SITE, from RCMP,
13 and Global Affairs, that India seeks to influence Canadian
14 policy, to criminally prosecute Sikhs who advocate for
15 Khalistan or otherwise criticize India.

16 So yourself, and the other witnesses have
17 rightfully insisted that Canadian agencies already
18 investigate any criminal activity, but that lawful political
19 advocacy is protected by the Charter. So given that fact and
20 that India engages in foreign interference with the objective
21 of influencing Canadian policy in this regard, would you
22 support suspending intelligence and information sharing
23 agreements signed in 2018 that can be misused by the
24 Government of India to target Sikh activists engaging in
25 lawful advocacy for Khalistan?

26 **RT. HON. JUSTIN TRUDEAU:** Let me be very
27 clear once again. Canada's policy is around One India. We
28 believe in the territorial integrity and the sovereignty of

1 India. We respect that. We certainly expect India to
2 respect the sovereignty of Canada, which in this case they
3 have not.

4 It is also extremely important that people
5 who come to this country from every corner of the world
6 understand that they are free to hold the political beliefs
7 that they choose to when you are in Canada. We have a
8 Charter that protects people's freedoms, people's freedom of
9 expression, people's freedoms of political views. And that
10 is not just a foundational principle of free democracies all
11 around the world, but it's particularly important for Canada
12 that is a country to which people have come from every corner
13 of the world, in some cases choosing to leave their home
14 country because of political disagreements or other reasons.

15 So defending the rights of people to hold
16 political views that may be unpopular in their home country
17 is a foundational responsibility for any Canadian government.

18 **MR. PRABJOT SINGH:** So will you consider
19 suspending those intelligence and information sharing
20 agreements that can be misused by the Government of India to
21 target Sikh activists, particularly considering the evidence
22 we've seen that India engages in foreign interference and
23 disinformation for that objective?

24 **RT. HON. JUSTIN TRUDEAU:** As I've said a
25 number of times, we are not looking to provoke or create a
26 fight with India. The Indian Government made a horrific
27 mistake in thinking that they could interfere as aggressively
28 as they did in the safety and sovereignty of Canada. And we

1 need to respond in order to ensure Canadian's safety. What
2 other steps we will take will be determined in due course,
3 but every step of the way our single overarching priority is
4 ensuring that we are keeping all Canadians safe.

5 **MR. PRABJOT SINGH:** So we heard this week
6 that six diplomats have been expelled from Canada and sent
7 back to India. But given the long history of Indian foreign
8 interference, the intensity we've observed and learned about
9 through this Commission, and the fact that this appears to be
10 in some form, a conscious policy decision by the Government
11 of India, I think it's reasonable that there's concerns that
12 when new diplomats come to replace those ones, that there are
13 concerns that they might continue to engage in similar kinds
14 of activities.

15 So looking back at India's foreign
16 interference activities, which have clearly escalated, I want
17 to look forward and ask you to provide some insight to the
18 Commission, because I think it's fair to say that the
19 Government of Canada, and Canadian agencies failed to detect
20 India's activities before they occurred, before the
21 assassination of Hardeep Singh and this campaign of violence,
22 and whatever steps have been taken failed to deter India from
23 continuing to engage in violence against Canada and in
24 Canada.

25 So can you provide some insight on what
26 lessons you think have been learned by the government and
27 agencies that can actually inform how Canada increases its
28 capacity to detect that kind of activity, and actually

1 effectively deters it in the future?

2 **RT. HON. JUSTIN TRUDEAU:** Well, first of all,
3 let me say that the issue of the Indian Government as a
4 possible source of foreign interference is not something that
5 only appeared over the past weeks, or even over the past
6 year. Canadian intelligence agencies have been collecting
7 that information for a number of years now.

8 And as I've said in an earlier answer this
9 morning, we are constantly adapting and adjusting to shifting
10 approaches by other states as they engage through different
11 technologies, through different means, through different
12 vectors, into advancing their aims in Canada. And we will
13 continue to learn and adjust as necessary to do what we must
14 do to keep Canadians safe, to protect our institutions and
15 our democracy.

16 **MR. PRABJOT SINGH:** Madam Commissioner, with
17 your leave I have one final question if that's possible?

18 **COMMISSIONER HOGUE:** No, because you're two
19 minutes over your time and we have many this afternoon.

20 **MR. PRABJOT SINGH:** Thank you, those are my
21 questions.

22 **COMMISSIONER HOGUE:** Thank you.

23 Counsel for Michael Chong.

24 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

25 **MR. GIB van ERT:**

26 **MR. GIB van ERT:** Prime Minister, my client
27 was here in September and gave evidence to the Commissioner,
28 and one of the concerns that he expressed is that this

1 country has become, in his words, a playground for foreign
2 interference by states like PRC and India. Mr. Mendicino was
3 here last week and disputed that phrase, playground of
4 foreign interference. Given the revelations by the RCMP and
5 by you, Sir, on Monday, isn't Mr. Chong's assessment closer
6 to the mark than Mr. Mendicino's?

7 **RT. HON. JUSTIN TRUDEAU:** No. I think it
8 reinforces how wrong Mr. Chong is, because what this week has
9 been all about is demonstrating the capacity and the reality
10 that Canada has been both detecting foreign interference and
11 acting on it. I would suggest that ---

12 **MR. GIB van ERT:** After the fact.

13 **RT. HON. JUSTIN TRUDEAU:** --- knowing about
14 this and revealing it to the public, and creating diplomatic
15 malaise to put it lightly, is an example of us pushing back
16 strongly against attempts at interference in this country.

17 **MR. GIB van ERT:** Not just attempts, Sir,
18 successful interference.

19 **RT. HON. JUSTIN TRUDEAU:** Yes.

20 **MR. GIB van ERT:** You confirmed this morning
21 that your government's assessment of the PRC's targeting of
22 Michael Chong and his relations in Hong Kong is not foreign
23 interference, but is instead lawful diplomatic activity.
24 Sir, there have been -- there were in 2021, four intelligence
25 products, we've only seen one of them, but there were four
26 concerning PRC activities directed at my client, all coming
27 from CSIS.

28 The one that we've been able to see in some

1 unredacted form is the famous IMU from the 31st of May, which
2 I expect you've seen before. It says explicitly that CSIS
3 regards there as being multiple threat actors, including the
4 Ministry of State Security.

5 Are you aware of that, Sir? I can show you
6 the document if it helps, but you may be familiar with it
7 already.

8 **RT. HON. JUSTICE TRUDEAU:** I am ---

9 **MR. FREDERICK SCHUMANN:** Madam Commissioner,
10 sorry, just before the Prime Minister answered, my friend
11 said, "You confirmed this morning that the PRC's targeting
12 Chong was not foreign interference". And I'm -- my
13 recollection is the Prime Minister testified that Zhao Wei's
14 targeting of Chong was not foreign interference.

15 So I believe that that was the evidence the
16 Prime Minister gave, but I stand to be corrected by my
17 friend.

18 **RT. HON. JUSTICE TRUDEAU:** Yes, I was talking
19 about Zhao Wei.

20 **MR. GIB van ERT:** Yeah, it's much of a
21 muchness to me, Sir.

22 So my point is this. The Ministry of State
23 Security, you're familiar with that agency?

24 **RT. HON. JUSTICE TRUDEAU:** Yes.

25 **MR. GIB van ERT:** Is there any such agency in
26 this country?

27 **RT. HON. JUSTICE TRUDEAU:** I think drawing
28 parallels between Canadian structures and the PRC structures

1 is extremely difficult at best.

2 **MR. GIB van ERT:** Yes, particularly in the
3 case of the MSS because it's a foreign intelligence agency
4 and we don't have one of those; right?

5 **RT. HON. JUSTICE TRUDEAU:** Well, we have an
6 intelligence agency that focuses on collection
7 internationally, which is CSIS.

8 **MR. GIB van ERT:** Right. Right. But we
9 don't send spies abroad and we don't send secret police
10 abroad. Isn't that right, Sir?

11 **RT. HON. JUSTICE TRUDEAU:** I'm not going to
12 speak to CSIS operations, but I can tell you there are CSIS
13 employees all around the world.

14 **MR. GIB van ERT:** Sir, my point is this. The
15 MSS is PRC's ---

16 **RT. HON. JUSTICE TRUDEAU:** Or I'm missing
17 something about what CSIS does.

18 **MR. GIB van ERT:** Well, let me get to it.
19 MSS is PRC's equivalent of Russia's FSB or
20 the Soviet Union's old KGB or, indeed, India's RAW, the
21 Research Analysis ---

22 **RT. HON. JUSTICE TRUDEAU:** Or the U.S.'s CIA.

23 **MR. GIB van ERT:** Right. We don't have
24 anything like that.

25 My point, Sir, is that if a diplomat -- a so-
26 called diplomat, Wei Zhao, in this country is sending
27 information about a Canadian MP -- two Canadian MPs, as it
28 turns out, back to MSS -- not back to the foreign

1 departments. Not back to foreign affairs, but to China's spy
2 agency, that, Sir, is not lawful diplomacy. Don't you agree
3 with that?

4 **RT. HON. JUSTICE TRUDEAU:** I'll say two
5 things about that.

6 First of all, I'm not entirely certain that
7 you understand what CSIS is if not Canadians' agency for
8 collecting intel overseas. And secondly, in terms of the
9 analysis of what Zhao Wei or others were doing, I am
10 obviously not an expert in the hierarchies within the
11 People's Republic of China's various agencies, but what I can
12 say is, I defer to CSIS's conclusions on these because they
13 are the intelligence agency that provides me information,
14 provides us information on foreign activities, particularly
15 bad actors.

16 CSIS's conclusion in this case that we've
17 seen before this Commission is that the actions that Zhao Wei
18 engaged in in regards to your client did not constitute
19 foreign interference.

20 Now, I am reporting that. I am not the
21 person who made the analysis and determination that it was on
22 one side of the line or others. I have confidence in our
23 agencies that do make that determination, however.

24 **MR. GIB van ERT:** Sir, Zhao Wei was not a
25 lawful diplomat. He was a foreign intelligence agent. He
26 was a Chinese spy. Do you accept that?

27 **RT. HON. JUSTICE TRUDEAU:** I accept when I --
28 I will state that he was ejected from Canada because he was

1 no longer able to even carry the role of diplomat, which was
2 his overt role, but I also explained that there were
3 situations in which CSIS has concluded that he engaged in
4 foreign interference activities, albeit not towards your
5 client, Michael Chong.

6 **MR. GIB van ERT:** Sir, I put it to you that
7 Zhao Wei was outed as a foreign spy not by your government,
8 but by *The Globe and Mail*.

9 **RT. HON. JUSTICE TRUDEAU:** There's no
10 question that the criminal who leaked the information to the
11 media had a role to play in our decision to expel Michael
12 Chong (sic), but as I said, there were -- sorry, expel Zhao
13 Wei. But there were three factors that went into that
14 decision to declare him *persona non grata*.

15 One was the escalating tensions between
16 Canada and China where they, despite repeated attempts,
17 refused to decrease or stop their interference activities.
18 Two was the fact that Zhao Wei was, indeed -- and this
19 perhaps goes to your contention, was engaged in foreign
20 interference activities, albeit not towards Michael Chong.
21 And three was the fact that his name was plastered across the
22 newspapers made it impossible for him to continue to be a
23 diplomat in Canada.

24 **MR. GIB van ERT:** NSICOP reports that CSIS
25 identified Zhao Wei as a candidate for expulsion in 2019,
26 several years before *The Globe and Mail* story, but your
27 government let him stay here. Nothing was done about him and
28 you, on your own evidence, had never even heard of him until

1 you read about him in *The Globe* that morning.

2 I put it to you, Sir, that as head of
3 government you ought to have known who Zhao Wei was and what
4 was going on. Should someone not have informed you about his
5 activities?

6 **RT. HON. JUSTICE TRUDEAU:** As I've said a
7 number of times, in my role as Prime Minister I need to know
8 the behaviour of China, I need to know the behaviour of
9 India, I need to know the behaviour of Russia in regards to
10 Canada and in regards to Canadians, in regards to Canadian
11 interests. I do not need to know the operational details to
12 be able to establish and empower the agencies to actually go
13 after it.

14 Now, I need to know the type of things they
15 are doing, but knowing the actual name of the individual,
16 there are such a large number of names that I trust and count
17 on my intelligence agencies to do the follow-ups on the
18 dozens of diplomats that they must keep a close eye on across
19 the country at all given times. And ---

20 **MR. GIB van ERT:** I'm sorry. It goes ---

21 **RT. HON. JUSTICE TRUDEAU:** --- me sitting
22 with a list of names of potential problematic people does
23 nothing to help keep Canadians safe in the role that I have.

24 **MR. GIB van ERT:** Sir, it goes well beyond
25 particular names because what you weren't told was that there
26 was a debate raging in your government between CSIS on the
27 one hand and Global Affairs on the other. CSIS assessed that
28 these activities -- we see it in the 2021 MIU -- were threats

1 to the security of Canada. CSIS conducted a TRM of Michael
2 Chong on the 2nd of May for that same reason.

3 Meanwhile, Mr. Morrison ---

4 **MR. BARNEY BRUCKER:** Excuse me. There was
5 not a TRM.

6 **RT. HON. JUSTICE TRUDEAU:** It was a defensive
7 briefing, actually. I mis-spoke this morning, so you caught
8 me on that.

9 It was a defensive briefing to Michael Chong,
10 not a threat reduction measure, which is apparently an
11 important distinction, but ---

12 **MR. GIB van ERT:** Well, I'll leave that for
13 now.

14 I thought Mr. Chong's evidence was that he
15 was informed by CSIS it was a TRM.

16 In any event ---

17 **RT. HON. JUSTICE TRUDEAU:** That was after --
18 after the leaks.

19 **MR. GIB van ERT:** That's what I'm talking
20 about.

21 **RT. HON. JUSTICE TRUDEAU:** That was -- okay.

22 **MR. GIB van ERT:** Yes.

23 **RT. HON. JUSTICE TRUDEAU:** I believe that was
24 a TRM. It was the earlier one that was a defensive ---

25 **MR. GIB van ERT:** On the 2nd of May, 2023,
26 that was a TRM.

27 **RT. HON. JUSTICE TRUDEAU:** Twenty twenty-
28 three (2023). Yes.

1 **MR. GIB van ERT:** Precisely. So you've got
2 the security service on the one side assessing that these are
3 foreign threats, this is foreign interference. You've got
4 Mr. Morrison and Jody Thomas, Global Affairs, saying no,
5 you've misunderstood. This is consistent with the Vienna
6 Convention.

7 What you ought to have known but were never
8 told, Sir, was that there was this debate going on and that
9 it was causing disagreements between agencies about how to
10 properly analyze and characterize particular instances.
11 Michael Chong happens to be one. There may very well have
12 been others. Someone ought to have told you that and so I
13 want to push back on this notion that we've heard from other
14 witnesses and ---

15 **RT. HON. JUSTICE TRUDEAU:** Actually, let me
16 push back on that right there, that I testified earlier today
17 that I am fully aware and, indeed, regularly apprised of
18 tension between -- of constructive, creative tension of
19 disagreements of perspective between diplomats and spies or
20 between our Global Affairs Canada and CSIS on ---

21 **MR. GIB van ERT:** But sir, no one told you
22 before -- before May 2023 that there was a dispute in your
23 government about whether Zhao Wei was acting lawfully or
24 illegally.

25 **RT. HON. JUSTICE TRUDEAU:** You're right. Not
26 about this particular person.

27 **MR. GIB van ERT:** That's my point.

28 **RT. HON. JUSTICE TRUDEAU:** But about a range

1 of diplomats from many different countries who are engaged in
2 questionable activities that we have to make determinations
3 around which ones and when we kick out knowing full well that
4 as soon as we PNG anyone, we lose diplomats on the other side
5 who are not engaged in subterfuge, so there are many factors
6 that go into when one takes a PNG decision.

7 If we were to kick out every single diplomat
8 who raised concerns, we wouldn't have any diplomats and,
9 therefore, no representation in any of our adversarial
10 countries. And part of diplomacy is making sure that we do
11 have people there, and the price of that is having people
12 here.

13 Now what our intelligence agencies are
14 constantly doing, as you were pointing out, is keeping an
15 eye, you know, metaphorically or actually, on many of these
16 people while engaging in an ongoing dialogue, sometimes a
17 debate, with foreign -- Global Affairs Canada to ensure that
18 we're getting that balance right of protecting Canadians and
19 allowing the work that Canadians are doing overseas in these
20 countries to continue to further protect Canadians.

21 **MR. GIB van ERT:** Sir, you've characterized
22 this debate as a good thing in your words this morning.
23 Other witnesses have come and called it a healthy debate. I
24 want to suggest to you that it wasn't a healthy debate.
25 Having a debate about what foreign interference means and
26 where the line is between that and lawful diplomacy is fine
27 to a point, but at a certain point, where one of your
28 agencies is saying one thing and the other one is saying the

1 other, someone has to come to you as the head of government
2 and say, "We have this dispute. It's causing us trouble in
3 operationalizing particular instances." My client's instance
4 being one, but no doubt there were others. Someone should
5 have come to you, the NSIA should have come to you and said,
6 "Prime Minister, we've got this difference of opinion, we
7 want you to know both sides, and we need your guidance," but
8 no one ever did that, and so you were left in the dark.

9 **RT. HON. JUSTIN TRUDEAU:** But that is exactly
10 why the authority for PNGing someone rests in the Minister of
11 Foreign Affairs's Office, and she was very much closer to this
12 debate, because it is her responsibility. And when the
13 decision was elevated to, "Okay. We should possibly and
14 probably PNG this individual," then I was brought in as part
15 of the discussion around that, recognizing that it was her
16 authority to do.

17 **MR. GIB van ERT:** Sir, when the story came
18 out in *The Globe and Mail*, Mr. Morrison explained to us that
19 Global Affairs went back, looked at its records, found that
20 in fact CSIS had been raising alarms about Wei Zhao's
21 activities years before, but they had never, in Mr.
22 Morrison's words, moved beyond the working level, meaning
23 they somehow had not come to the attention of leaders within
24 Global Affairs.

25 So again I say to you that this is a failing
26 of this government to take serious situations and serious
27 debates about what's foreign interference and what isn't and
28 actually resolve them. It's all well and good to debate

1 them, but at a certain point, a judgement has to be made and
2 someone has to give governance and guidance about how things
3 should proceed, and that wasn't done until we read about it
4 in *The Globe and Mail* ---

5 **RT. HON. JUSTIN TRUDEAU:** On the contrary, --

6 -

7 **MR. GIB van ERT:** --- on the 2nd of May.

8 **RT. HON. JUSTIN TRUDEAU:** --- choosing to not
9 act is a judgement. The fact that it wasn't determined in
10 those previous moments that the threshold for PNG had been
11 met was an act of decision. Yes, you can act by PNGing
12 someone, but you can also act by saying, "No, we're going to
13 keep this individual under surveillance. We're going to keep
14 -- or keep them within what we know." I can't speak to
15 whether or not there is active surveillance on any individual
16 or not, but continue to be aware of this individual and what
17 they are doing because it is -- it has purpose.

18 Finding out when that right line is, when
19 that moment is, is not something to be taken lightly and it
20 is something that rests on the collected and collective
21 expertise of people who have been working in the security and
22 intelligence domain for years to develop the expertise on
23 when that timing is right.

24 **MR. GIB van ERT:** Sir, it wasn't a matter of
25 you choosing not to act when it came to Wei Zhao. You didn't
26 know you had a choice before you at all ---

27 **RT. HON. JUSTIN TRUDEAU:** But the ---

28 **MR. GIB van ERT:** --- because your officials

1 ---

2 RT. HON. JUSTIN TRUDEAU: --- act is not
3 mine.

4 MR. GIB van ERT: --- never told you.

5 RT. HON. JUSTIN TRUDEAU: The act is not
6 mine. I do not determine when ---

7 MR. GIB van ERT: Well the same ---

8 RT. HON. JUSTIN TRUDEAU: --- someone should
9 be PNGed ---

10 MR. GIB van ERT: --- goes for ---

11 RT. HON. JUSTIN TRUDEAU: --- or not.

12 MR. GIB van ERT: --- Madam Joly. She chose
13 ---

14 RT. HON. JUSTIN TRUDEAU: Then you can ask
15 Madam Joly about that.

16 COMMISSIONER HOGUE: Just a moment. Just a
17 moment. I think -- just wait for him to answer, and same
18 thing on your side.

19 RT. HON. JUSTIN TRUDEAU: Of course.

20 COMMISSIONER HOGUE: Just wait for the
21 question too.

22 RT. HON. JUSTIN TRUDEAU: We go back to
23 debating days at McGill, so there's a little bit of back and
24 forth there.

25 MR. GIB van ERT: My point, Sir, was that
26 there's no evidence that this was put before Madam Joly or
27 whoever the Foreign Minister was at the time either. It all
28 came to a head because of the leak. And what I'm suggesting,

1 you have rightly said that the leak is criminal. Absolutely
2 right. Should not have happened. But this debate, which I
3 say is not healthy, but was festering in your government,
4 boiled over with someone taking the law into their own hands,
5 which they ought never to have done, and revealing all this
6 to the world, and only then did you react. There was nothing
7 proactive. That's my concern, Sir.

8 **RT. HON. JUSTIN TRUDEAU:** Well the issue with
9 the criminal who leaked this information is they got it wrong
10 in what they leaked. And regardless of what's in the
11 newspapers or not, it is incumbent upon a serious responsible
12 government not to react to partisan attacks or erroneous but
13 salacious headlines, but to react on the substance of things.
14 And that's exactly what we did when we, as a government
15 collectively, in the person of a Foreign Minister, made the
16 determination that it was time to PNG Zhao Wei.

17 **MR. GIB van ERT:** So you seem to be
18 suggesting that Michael Chong overreacted in worrying about
19 his relations in Hong Kong.

20 **RT. HON. JUSTIN TRUDEAU:** No, not at all.
21 When ---

22 **MR. GIB van ERT:** Well that is what you're
23 suggesting, it seems.

24 **RT. HON. JUSTIN TRUDEAU:** No, I am suggesting
25 that confronted with or faced with a leak that is itself
26 erroneous, that suggests that China has threatened, with
27 violence, his family, as the inference of the leak and the
28 subsequent headlines were, Mr. Chong had every right to be

1 concerned and even outraged, as did everyone, as were we by
2 the idea that his family had been threatened with direct
3 physical violence, which is what the leak and the leaker
4 suggested.

5 We now know that that is wrong. And that is
6 why it is really important that governments act based on
7 actual analysis and actual intelligence and evaluation of
8 that intelligence and not just what appears, as you say, in
9 *The Globe and Mail*.

10 **MR. GIB van ERT:** Well, Sir, I told Mr. Clow
11 this yesterday and I'll say it to you. Mr. Chong does not
12 share your seeming confidence that his relatives in Hong Kong
13 will never be coerced, or threatened, or even physically
14 harmed by that state. It is not a rule of law democracy. It
15 is not a state that has a track record of respecting people's
16 freedom of conscience, freedom of political thought. And so
17 these concerns that he has, whether they are based in
18 intelligence that was misinterpreted in *The Globe and Mail* or
19 not, are legitimate and fair, and you seem ---

20 **RT. HON. JUSTIN TRUDEAU:** Yes.

21 **MR. GIB van ERT:** --- to be wanting to
22 downplay them, and I want to ---

23 **RT. HON. JUSTIN TRUDEAU:** No.

24 **MR. GIB van ERT:** --- push back on that.

25 **RT. HON. JUSTIN TRUDEAU:** I am not
26 downplaying them in the least. What I am saying is as a
27 responsible government, as a government that is making
28 decisions about how best to protect Canadians, including and

1 especially parliamentarians, we need to rely on the best
2 intelligence, and evidence, and analysis, and recommendations
3 of our security agencies. And that is what we have leaned on
4 in terms of concluding what threats were there on Mr. Chong
5 and what positions and postures we should take because of it.
6 We are a country that leans on its intelligence agencies, not
7 on criminals leaking things to newspapers.

8 **MR. GIB van ERT:** One final point, Sir. The
9 evidence repeatedly has been that other parts of the
10 government have not relied on CSIS' warnings. In fact, the
11 Minister of Public Safety doesn't even seem to have received
12 them, or certainly didn't read them. The same is true of the
13 NSIA. The same seems to be true of the Clerk of the Privy
14 Council. So it's all well and good for you to say we're a
15 country that respects our security agencies, the evidence,
16 Sir, has been that the security agency has been sidelined and
17 the concerns it's been trying to raise have been neglected,
18 and sometimes not even read.

19 **RT. HON. JUSTIN TRUDEAU:** I think much of
20 what we have demonstrated through this Commission as a
21 government is that we have taken seriously, from the very
22 first day, threats to national security through creating
23 things that Mr. Chong was opposed to, like the National
24 Security and Intelligence Committee of Parliamentarians.

25 But I would suggest, if Mr. Chong wanted to
26 be part of an organization that was taking security
27 seriously, he implore his leader, Pierre Poilievre, to get a
28 security briefing so he can hear directly from CSIS on the

1 challenges threatening his institution, the Conservative
2 Party of Canada.

3 **MR. GIB van ERT:** I'll take that advice back
4 to him. Thank you, Prime Minister.

5 **RT. HON. JUSTIN TRUDEAU:** Thank you.

6 **MR. GIB van ERT:** Thank you, Commissioner.

7 **COMMISSIONER HOGUE:** Thank you.

8 Next one is counsel for Han Dong.

9 **MS. EMILY YOUNG:** Good afternoon, Madam
10 Commissioner.

11 **COMMISSIONER HOGUE:** Okay.

12 **MS. EMILY YOUNG:** We have no questions for
13 the Prime Minister. Thank you very much.

14 **COMMISSIONER HOGUE:** Thank you. Counsel for
15 Erin O'Toole?

16 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

17 **MR. THOMAS JARMYN:**

18 **MR. THOMAS JARMYN:** Thank you, Commissioner.
19 My name's Tom Jarmyn. I'm counsel for Erin O'Toole. I'm
20 going to start with a question to which I expect your counsel
21 will object, but it's a process we have to go through. So
22 section 21 of the *CSIS Act* creates a statutory process
23 whereby the agency requests the Minister to approve an
24 application to Federal Court for a warrant. And in the
25 course of that warrant, it's supported by an affidavit. That
26 affidavit sets out the affiant's knowledge of the target and
27 the affiant's reasonable expectations of the names of the
28 individuals whose communications will be intercepted.

1 I will ask you, first of all, has anyone ever
2 advised you of the name of an individual who's been mentioned
3 in a warrant?

4 **RT. HON. JUSTIN TRUDEAU:** I actually ---

5 **MR. BARNEY BRUCKER:** We would object to the
6 question on the grounds of national security,
7 confidentiality, in line with the objections made yesterday,
8 they're the same question.

9 **RT. HON. JUSTIN TRUDEAU:** I've actually got a
10 question for you, Sir. In your reading of that specific Act,
11 what is the role of the Prime Minister in the granting of
12 warrants for CSIS?

13 **MR. THOMAS JARMYN:** Well, in fact, I was
14 going to make that point is that neither the Prime Minister
15 nor the Prime Minister's Office is named in the *CSIS Act* or
16 is even part of the warrant process, and so the question
17 we're seeking to have answered is whether or not that
18 information was passed on to your staff yesterday and
19 yourself today, but I take the objection ---

20 **COMMISSIONER HOGUE:** So the question is
21 noted.

22 **MR. THOMAS JARMYN:** Thank you. And I would
23 like to also the follow-on questions who passed on the
24 information, the context of the discussion, and what was done
25 with that information if the answer is yes. Thank you.

26 **COMMISSIONER HOGUE:** So it's noted.

27 **MR. BARNEY BRUCKER:** And we maintain the
28 objection.

1 **MR. THOMAS JARMYN:** Yes, I appreciate that.

2 In the course of your direct examination this
3 morning, Commission counsel took you to three items in which
4 permission of yourself was sought by CSIS to brief
5 parliamentarians. And for one reason or another, that issue
6 never rose to your attention. And I guess the first question
7 I would ask, to use your own words, what can the public
8 service conclude when your Office refuses to decide
9 something, because choosing to decide is a choice.

10 **RT. HON. JUSTIN TRUDEAU:** Well, first of all,
11 in terms of those three instances, the third instance never
12 actually materialized, so it's not an issue. The first
13 instance got interrupted by the pandemic after a few months.
14 I think everyone can understand that. And the second
15 instance, as my staff testified to yesterday, was busy being
16 worked on by my staff until the point that the election
17 called. They actually had -- my Office had questions back on
18 that, referred to briefing of non-parliamentarians who would
19 be in an important role. So it was being worked on and
20 didn't end up getting to me, as the staff testified
21 yesterday.

22 **MR. THOMAS JARMYN:** And, in fact, this
23 morning you said that the -- CSIS could well have gone to the
24 Minister of Public Safety to have raised these matters with
25 him because they had direct access to him. Is that -- that's
26 consistent with your recollection?

27 **RT. HON. JUSTIN TRUDEAU:** Yes, the Minister
28 of Public Safety is the Minister responsible for CSIS and

1 they have regular meetings.

2 **MR. THOMAS JARMYN:** But I put it to you that
3 this is just one instance of a pattern throughout this file
4 in which CSIS doesn't go to the Minister of Public Safety.
5 It goes to your Office to seek approval with respect to
6 matters. Is that accurate?

7 **RT. HON. JUSTIN TRUDEAU:** I'm not as -- I can
8 say with clarity that CSIS usually and often does go to its
9 Ministers. There are moments in which CSIS works directly
10 with my Office or orbit in the person of the National
11 Security and Intelligence Advisor, but it is all part of the
12 work that CSIS does.

13 **MR. THOMAS JARMYN:** There are at least five
14 occasions that we're aware of where approval had been
15 requested by the public service, so actions either by your
16 Office, or by Minister Blair, or by Ms. Astravas, and the
17 issue was raised, well, the public service didn't come back
18 and raise the issue again. Is that actually a justifiable
19 response when the public service asks for ---

20 **RT. HON. JUSTIN TRUDEAU:** Given the volume of
21 work done by the public service, the number of requests to go
22 through, it is usual for something that is particularly
23 urgent or important to be elevated by the asking department
24 when a certain amount of time is taken on responding to a
25 file. As I said, the Clerk raises that to me, the NSIA could
26 raise that to me in any of our regular meetings, just like
27 CSIS could raise it with the Minister.

28 **MR. THOMAS JARMYN:** So if they don't ask

1 twice it's not important?

2 **RT. HON. JUSTIN TRUDEAU:** No. If they find
3 that the usual course of affairs is taking longer than is
4 necessary or than would be optimal for this particular issue
5 they're concerned about, they will flag it and it will be
6 prioritised.

7 **MR. THOMAS JARMYN:** And I assume you've
8 reviewed the Commission's first phase report and would agree
9 with me that, in fact, foreign interference has been a
10 serious problem in Canada since at least 2019?

11 **RT. HON. JUSTIN TRUDEAU:** Yes, that's why in
12 2018 we actually took a significant step on foreign
13 interference and created the G7 Rapid Response Mechanism, and
14 this is something that we've been working on from the very
15 beginning in terms of protecting Canada's democracy and
16 national security.

17 **MR. THOMAS JARMYN:** So I'm going to touch on
18 something that Mr. van Ert raised but from a different
19 perspective. We've heard evidence from Mr. Morrison, Mr.
20 Vigneault and the Deputy Ministers of Public Safety about
21 this conflict of views about what exactly constitutes foreign
22 interference. If it's been a problem for 5 years, why does
23 it take until July of 2024 for the Deputy Ministers to sit
24 down and come to a common understanding of what foreign
25 interference is?

26 **RT. HON. JUSTIN TRUDEAU:** Because when it
27 comes to a matter like foreign interference, it's -- it is
28 one thing to have a clear definition, which is actions of a

1 nature that are either clandestine, or illegal, or covert by
2 foreign government agents on Canadian soil or in Canadian
3 institutions. It's another thing entirely to make informed
4 judgments around whether something is simply interference --
5 simply influence or interference. And those debates are --
6 they're not a bug of the process. They're a feature of the
7 process. They are essential to continue to make sure we are
8 adjusting to the new technologies, the new vectors of
9 interference, the new realities as more countries, you know,
10 do different things and other countries do less.

11 **MR. THOMAS JARMYN:** Forgive me, Prime
12 Minister, maybe I just don't understand, but since 2019, this
13 has been a serious problem, and it's only in July of 2024
14 that the senior Deputy Ministers on this file are sitting
15 down to come to a common understanding of what particular
16 instance are foreign interference. And, in fact, they never
17 raise the issue with their Ministers.

18 **RT. HON. JUSTIN TRUDEAU:** I completely object
19 to your characterization of this. We started to become
20 preoccupied with foreign interference during the 2016 U.S.
21 Presidential Election where it was obvious that foreign
22 interference was a reality. We then saw it in the Brexit
23 Referendum in the UK. We saw it in the 2017 French
24 Presidential Election, which is why we built the SITE Task
25 Force and the Panel of Five to be able to defend Canada's
26 election integrity and ensure that the subsequent elections
27 in Canada in 2019, 2021 and all future elections are free
28 from the foreign interference that impacts their outcomes.

1 That is why we have taken -- that is a demonstration, and
2 there are many more, of how we have taken seriously foreign
3 interference from the very beginning. G7 in 2018 had a
4 significant mechanism created around that and we've continued
5 to do more and more on that. So I can't speak to some
6 meeting of Deputy Ministers that may or may not have happened
7 at the right time. That is something for the officials
8 involved to ask about.

9 **MR. THOMAS JARMYN:** Well, I appreciate that
10 the Government is using the word foreign interference with
11 respect to its discussions from 2016 on, but if there's not a
12 common understanding about what those words mean, how can the
13 Government be actually doing anything?

14 **RT. HON. JUSTIN TRUDEAU:** I'm sorry, at the
15 danger of repeating myself, when we created the Rapid
16 Response Mechanism for the G7 to be housed in Canada around
17 our 2018 Charlevoix G7, there was a clear understanding that
18 acting against foreign interference was a goal that we set
19 out and actually took concrete action on. So I would
20 completely refuse your contention that we didn't know what
21 foreign interference was and weren't acting on it from the
22 earliest days of this government.

23 **MR. THOMAS JARMYN:** I'll conclude with this
24 question; when there's this fundamental disagreement in 2022
25 between Mr. Morrison, who at that time was acting as your
26 NSIA, and Mr. Vigneault, who was the Director of CSIS, about
27 what constitutes foreign interference, why wasn't the issue
28 raised to the Minister of Public Safety and the Minister of

1 Public Affairs to sort out?

2 **RT. HON. JUSTIN TRUDEAU:** I don't know that
3 it wasn't raised. I will -- I can certainly say that
4 discussions around foreign interference were ongoing within
5 many departments in this country, in this government,
6 particularly those of Foreign Affairs and Public Safety, as
7 well as being raised within my office and the PCO.

8 **MR. THOMAS JARMYN:** Well, there's certainly
9 no evidence of that dispute being raised in the disclosed
10 documents, Sir.

11 Thank you.

12 **COMMISSIONER HOGUE:** Thank you.

13 Mr. Choudhry or Ms. Kakkar for Jenny Kwan?
14 It's Mr. Choudhry.

15 **MR. SUJIT CHOUDHRY:** Thank you, Commissioner.

16 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

17 **MR. SUJIT CHOUDHRY:**

18 **MR. SUJIT CHOUDHRY:** Prime Minister, good
19 afternoon.

20 Prime Minister, I'd like to ask you some
21 questions about a different topic, and it's about foreign
22 interference in political party nomination processes. So it
23 picks up a bit on some of the points that Ms. Chaudhury made,
24 and also the Commissioner raised with you when we came back.

25 And so I'd like, if we could, to take the
26 Prime Minister to Witness Statement 106, to PDF page 10, and
27 particularly to paragraph 36.

28 So Prime Minister, this is one of your

1 statements.

2 So great, thank you.

3 So Prime Minister your evidence here is that
4 you noted that political parties are not unique in their
5 vulnerability to foreign interference from hostile actors;
6 universities, research institutions, and businesses are also
7 targets. And so I want to dig into that a bit and ask you a
8 question about that statement.

9 And so in your testimony this morning
10 briefly, and also I think a bit more in your witness
11 statements you talked about Bill C-70, didn't you?

12 **RT. HON. JUSTIN TRUDEAU:** Yes.

13 **MR. SUJIT CHOUDHRY:** And I think it's fair to
14 say that you'd regard Bill 70 as, let's say, a signature
15 piece of legislation from your government on foreign
16 interference?

17 **RT. HON. JUSTIN TRUDEAU:** Any time we, as a
18 government or as a Parliament, pass measures around national
19 security they tend to be significant.

20 **MR. SUJIT CHOUDHRY:** So with leave of the
21 Commissioner, I've been advised to our friends from the
22 Department of Justice regarding this, I hope they don't
23 object, I'd like to take you to the version of Bill 70 we
24 have in the database, because there's a provision about it
25 I'd like to ask you about, if I could.

26 **COMMISSIONER HOGUE:** That's fine, if there's
27 no objection.

28 **MR. BARNEY BRUCKER:** No objection.

1 **MR. SUJIT CHOUDHRY:** Thank you.

2 And so it's Commission 382.

3 **--- EXHIBIT NO./PIÈCE No. COM0000382:**

4 Bill C-70, First Reading

5 **MR. SUJIT CHOUDHRY:** And in particular --
6 it's a long bill, as you know, and so it's page 37 that I'd
7 like to go to, and it's the part of it that there's a heading
8 on that page which is "Political Interference for a Foreign
9 Entity."

10 So if we could go to section 20.4? Yes. And
11 so Prime Minister, I imagine it's been a while since you've
12 read this, so I'd like you to refresh your memory.

13 So there is 20.4(1) creates a new offence
14 which is titled, "Influencing political or governmental
15 process," and that's the phrase I want to ask you a couple of
16 questions about. It's the phrase a, "Political or
17 governmental process," and it actually appears in that
18 provision, four lines down. Do you see it?

19 **RT. HON. JUSTIN TRUDEAU:** Yes.

20 **MR. SUJIT CHOUDHRY:** And I know you're not a
21 lawyer, but you are a member of Parliament, and this is a
22 Bill of your government ---

23 **RT. HON. JUSTIN TRUDEAU:** The Legislature,
24 yes.

25 **MR. SUJIT CHOUDHRY:** --- and so I'm going to
26 ask you as best I can about this provision.

27 And so if we could scroll down to the next
28 page, the term, there's some definitions here, and if we

1 could just scroll down a bit more, please? Great, that's
2 terrific. Thank you.

3 And so there's a definition of what a
4 political or governmental process is, and so it's a six-part
5 definition, but what I want to draw your attention to, Prime
6 Minister, is that it includes in that definition not just the
7 holding of an election, so electoral interference let's say
8 would be captured by this, but also:

9 "the nomination of a candidate or the
10 development of an electoral platform
11 by a political party."

12 Do you see that?

13 **RT. HON. JUSTIN TRUDEAU:** Yes.

14 **MR. SUJIT CHOUDHRY:** Oaky. And so I'd now
15 like to take you away from this document and take you to the
16 NSICOP Report, which I know the Commissioner also asked you
17 about, and this is Commission Document 363.

18 And if we could please go to page 38 of the
19 PDF, and paragraph 69 to 70. So that's perfect, thank you.

20 And so, Prime Minister, just to confirm, you
21 have read the NSICOP Report, is that right?

22 **RT. HON. JUSTIN TRUDEAU:** Yes.

23 **MR. SUJIT CHOUDHRY:** Yeah. Including the
24 classified version?

25 **RT. HON. JUSTIN TRUDEAU:** Yes.

26 **MR. SUJIT CHOUDHRY:** Okay. And so this --
27 these paragraphs, 69 and 70, appear in a section called,
28 "Exploiting vulnerabilities in political party governance and

1 administration." And so I'd just want to confirm, have you
2 read this part of the report?

3 RT. HON. JUSTIN TRUDEAU: Yes.

4 MR. SUJIT CHOUDHRY: Good. And so I want to
5 ask you a couple of questions about it, if I may?

6 And so is there any reason to disagree with
7 NSICOP's conclusion at the beginning of paragraph 69? And
8 I'll quote, which is that:

9 "...foreign actors covertly supported
10 or opposed candidates by exploiting
11 vulnerabilities in political party
12 governance and administration."

13 RT. HON. JUSTIN TRUDEAU: Yes.

14 MR. SUJIT CHOUDHRY: You disagree with that?

15 RT. HON. JUSTIN TRUDEAU: Yeah.

16 MR. SUJIT CHOUDHRY: Could you give me a bit
17 more detail?

18 RT. HON. JUSTIN TRUDEAU: This is a very
19 general and broad statement that, from the CSIS analysis that
20 I've seen, there have been instances where, yes, we know that
21 there were attempts at foreign interference in various
22 political party processes and nominations, and that's
23 something that we talked about in the last public hearings as
24 well. But I tend to disagree with the words, "Exploiting
25 vulnerabilities in political party governance
26 administration." Not that there aren't vulnerabilities in
27 everything, but that emphasis makes it seem like some of the
28 choices that political parties have made are only

1 vulnerabilities and not strengths within the political
2 process.

3 **MR. SUJIT CHOUDHRY:** Well -- so Prime
4 Minister, there's a couple of follow-up questions I want to
5 ask you about your answer, if I may?

6 So the first is, and I saw your evidence in
7 the witness statements, it wasn't discussed this morning, but
8 I think it's fair to say that the view expressed is that any
9 regulation of internal political party governance has to
10 accept that there's a trade-off between hardening those
11 institutions and processes, to use a security sector
12 term, ---

13 **RT. HON. JUSTIN TRUDEAU:** Yes.

14 **MR. SUJIT CHOUDHRY:** --- and dampening
15 participation and inclusion.

16 **RT. HON. JUSTIN TRUDEAU:** Yes.

17 **MR. SUJIT CHOUDHRY:** That's fair?

18 **RT. HON. JUSTIN TRUDEAU:** Yes.

19 **MR. SUJIT CHOUDHRY:** Correct?

20 **RT. HON. JUSTIN TRUDEAU:** Very much.

21 **MR. SUJIT CHOUDHRY:** Right. And so it's --
22 but the framing of that trade-off in your evidence does
23 concede that that hardening might need to be done because
24 institutions do have vulnerabilities, isn't that fair?

25 **RT. HON. JUSTIN TRUDEAU:** Yes, which is why I
26 lean heavily towards the hardening being done by the
27 political party itself in an open, responsible, and
28 transparent way, rather than have external bodies come and

1 try and constrict or limit the operations of a political
2 party.

3 **MR. SUJIT CHOUDHRY:** Good. And we'll get to
4 that in just -- in a minute. But before we do there's
5 another follow-up point I want to make and then I want to ask
6 you some questions here about these paragraphs.

7 So you did point out that NSICOP relied on
8 CSIS intelligence products in reaching this conclusion. And
9 I just want to ---

10 **RT. HON. JUSTIN TRUDEAU:** And in some cases
11 extrapolated a bit from CSIS products.

12 **MR. SUJIT CHOUDHRY:** Fair, and Prime
13 Minister, as you know, I can't ask you a question about that.
14 But ---

15 **RT. HON. JUSTIN TRUDEAU:** But CSIS testified
16 to the fact that there were inconsistencies and inaccuracies
17 in the NSICOP Report.

18 **MR. SUJIT CHOUDHRY:** With respect to specific
19 allegations involving parliamentarians but not specifically
20 about these paragraphs.

21 **RT. HON. JUSTIN TRUDEAU:** Because they didn't
22 -- they weren't asked to weigh in on these.

23 **MR. SUJIT CHOUDHRY:** Sure. And so we don't
24 know what their view is on these paragraphs.

25 **RT. HON. JUSTIN TRUDEAU:** You don't.

26 **MR. SUJIT CHOUDHRY:** Yeah, I don't. And I
27 take it -- unless you're telling us they do? I don't think
28 we have ---

1 **RT. HON. JUSTIN TRUDEAU:** I'm not able to
2 talk to that. No.

3 **MR. SUJIT CHOUDHRY:** So let's leave it at
4 that, shall we?

5 And so, Prime Minister, just for the record,
6 there are footnoted CSIS reports or intelligence products
7 from three different years that are relied on by the NSICOP
8 in this -- these -- this section? You agree with that?

9 **RT. HON. JUSTIN TRUDEAU:** That sounds
10 reasonable.

11 **MR. SUJIT CHOUDHRY:** Okay. And so what I
12 want to do is to ask you some specific questions about the --
13 what NSICOP represents as vulnerabilities and to ask you
14 whether you agree or disagree.

15 So the first vulnerability NSICOP identifies
16 is in paragraph 69. It's five lines down and it says:

17 "First, many ridings are considered
18 'safe seats', so winning the
19 nomination is akin to winning the
20 subsequent election without having to
21 interfere in the election itself."

22 Do you agree or disagree with that statement?

23 **RT. HON. JUSTIN TRUDEAU:** Well that there are
24 fewer of them, in the case of my own Party, but there are
25 safe seats in the country.

26 **MR. SUJIT CHOUDHRY:** And the statement that
27 NSICOP makes is ---

28 **RT. HON. JUSTIN TRUDEAU:** That was a joke.

1 You guys can laugh.

2 **MR. SUJIT CHOUDHRY:** --- but because there
3 are safe seats, interfering in a nomination is -- makes
4 interfering in the election for that seat unnecessary. Is
5 that a fair -- that's what NSICOP's view is. Do you agree
6 with that statement? Yes or no?

7 **RT. HON. JUSTIN TRUDEAU:** I wouldn't
8 characterize how foreign governments would choose to
9 interfere or not, or whether it's worth interfering in one
10 place or not. There are many different goals that they might
11 have. So I'm not entirely sure what you mean by the
12 question.

13 **MR. SUJIT CHOUDHRY:** Okay. Well I'm just
14 asking if you agree with NSICOP's statement there? Yes or
15 no? It's a simple question.

16 **RT. HON. JUSTIN TRUDEAU:** I agree with the
17 first part of it.

18 "Many ridings are considered 'safe
19 seats', so winning the nomination is
20 akin to winning the subsequent
21 election..."

22 If you put a period on that one, I absolutely
23 agree with that statement. The "...without having to interfere
24 in the election itself" isn't -- putting my English teacher
25 hat back on, isn't necessarily -- makes a whole bunch of
26 sense as a sentence out of the context of the rest of the
27 paragraph.

28 **MR. SUJIT CHOUDHRY:** Well, Prime Minister,

1 I'm not NSICOP, just as you're not CSIS, but I think we can
2 say that for the record, I think NSICOP was saying that if a
3 seat -- if the nomination is really what's at issue in a
4 seat, if a state interferes with that nomination process, it
5 needn't interfere in the election itself?

6 **RT. HON. JUSTIN TRUDEAU:** If it interferes
7 successfully in getting the outcome that they are trying to
8 achieve, then yes, if it's a safe seat, whoever ends up
9 getting the nomination is -- has a better chance than
10 expected to win the seat. Yes.

11 **MR. SUJIT CHOUDHRY:** Fair. So let's go to
12 the second vulnerability of the three that NSICOP identifies.

13 "Second, nomination processes are not
14 directly regulated or safeguarded by
15 federal, provincial, or territorial
16 legislation or enforcement bodies,
17 such as the Commission of Canada
18 Elections."

19 And so that's the second statement they make.

20 "As a result, the likelihood and
21 consequences of the detection of such
22 activities are low."

23 Do you agree or disagree with that statement?

24 **RT. HON. JUSTIN TRUDEAU:** I disagree with
25 that statement.

26 **MR. SUJIT CHOUDHRY:** And why do you disagree
27 with that statement?

28 **RT. HON. JUSTIN TRUDEAU:** Because political

1 parties, I can specifically speak for my own, the Liberal
2 Party has established a very robust system of overseeing
3 nominations, particularly contested nominations that often
4 happen, as you point out, in safer seats, where it is
5 expected that whoever wins the nomination has an unusually
6 high chance of becoming the MP in that seat.

7 We have had to develop over the years,
8 particularly in 2015, where all of our nominations were
9 potentially open nominations, we had to develop very rigorous
10 processes, and not uniquely, or only, or even specifically to
11 counter foreign interference, but to make sure that various
12 outside groups or community organizations who would mobilize
13 individuals were doing so in a way consistent with the rules
14 of both Election Canada around financing, because there are
15 rules around nominations around the money that goes into
16 nominations, but also the rules of the Liberal Party around
17 who can be a member, who can vote, and who is eligible to
18 vote.

19 **MR. SUJIT CHOUDHRY:** Well then that actually
20 leads to my next question, Prime Minister, which is in
21 paragraph 70, if you look six lines down, NSICOP reports the
22 following. It says:

23 "CSIS assesses that it is relatively
24 easy to fraudulently add voters who
25 live outside a riding to a nomination
26 process's voter list with inaccurate
27 addresses. It is also reportedly
28 relatively easy to show an altered

1 phone bill with the wrong address, or
2 a fraudulent letter from a school, in
3 order to vote in a nomination."

4 Do you agree or disagree with that statement?

5 **RT. HON. JUSTIN TRUDEAU:** That issue of
6 accurate or inaccurate addresses is something that comes up
7 not just in the context of foreign interference, but in the
8 context of the push and pull of internal party processes,
9 where one candidate who is keen on winning the election may
10 try and bring in people who live outside the riding, which
11 means that we have developed not infallible, but strong
12 processes whereby we oversee -- the Party oversees the
13 registration process and also has the possibility of legal
14 counsel for the various candidates to oversee the nomination
15 process and challenge the result if they feel that it was
16 contested. So we have structures in place in the Party to
17 oversee that.

18 Now, can those structures be strengthened? I
19 have no doubt. And this is something that I'm entirely open
20 for parties to be working with CSIS and the Commission on.

21 What I will say is I'm speaking right now to
22 the way the Liberal Party manages contested nominations. I
23 have no idea how the NDP or the Conservatives manage their
24 contested nominations, and perhaps having the Commission look
25 into a certain amount of transparency on that by the Parties
26 might be a good idea.

27 **MR. SUJIT CHOUDHRY:** Commissioner, I have
28 many more questions, but I'm out of time.

1 Prime Minister, thank you.

2 RT. HON. JUSTIN TRUDEAU: Thank you.

3 COMMISSIONER HOGUE: Thank you.

4 So Mr. De Luca for the Conservative Party.

5 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR

6 MR. NANDO DE LUCA:

7 MR. NANDO DE LUCA: Good afternoon, Prime
8 Minister. Am I correct that you have top-level security
9 clearance in government by virtue of your Office?

10 RT. HON. JUSTIN TRUDEAU: Yes.

11 MR. NANDO DE LUCA: Do you know which
12 Minister is responsible for the Communications Security
13 Establishment, Sir?

14 RT. HON. JUSTIN TRUDEAU: Yes.

15 MR. NANDO DE LUCA: Minister of Defence?

16 RT. HON. JUSTIN TRUDEAU: Yes.

17 MR. NANDO DE LUCA: Do you know Ms. Zita
18 Astravas, Sir?

19 RT. HON. JUSTIN TRUDEAU: Yes.

20 MR. NANDO DE LUCA: She worked on each of
21 your Liberal Party Election Campaigns in 2015, 2019, and
22 2021; correct?

23 RT. HON. JUSTIN TRUDEAU: I believe so, yes.

24 MR. NANDO DE LUCA: And she worked in your
25 PMO Office as your Director of Issues Management until 2017?
26 Is that correct?

27 RT. HON. JUSTIN TRUDEAU: That sounds right,
28 yes.

1 **MR. NANDO DE LUCA:** Are you aware that she
2 was Chief of Staff to Minister Blair in 2021 in the lead up
3 to the 2021 Election Campaign?

4 **RT. HON. JUSTIN TRUDEAU:** Yes, that sounds
5 right.

6 **MR. NANDO DE LUCA:** And the Commissioner has
7 heard that a politically sensitive warrant application that
8 would have empowered CSIS to investigate foreign interference
9 languished on Ms. Astravas' desk for approximately 54 days in
10 the lead up to the 2021 Election. Are you aware of that
11 fact?

12 **RT. HON. JUSTIN TRUDEAU:** I believe there are
13 questions about the dates involved.

14 **MR. NANDO DE LUCA:** Does that mean that you
15 disagree with the overall time period of 54 days?

16 **RT. HON. JUSTIN TRUDEAU:** Yes.

17 **MR. NANDO DE LUCA:** Okay. And how long, in
18 your understanding, ---

19 **RT. HON. JUSTIN TRUDEAU:** My understanding,
20 it was a number of days before it was -- a number of days
21 within those 54 days before it ever got near Ms. Astravas'
22 desk.

23 **MR. NANDO DE LUCA:** Okay. And ---

24 **RT. HON. JUSTIN TRUDEAU:** But again, these
25 are things that I have learned over the course of the various
26 testimonies over these past days, not anything I was aware of
27 at the time.

28 **MR. NANDO DE LUCA:** Okay. Have you heard the

1 figure 54 days at all in connection with these proceedings?

2 **RT. HON. JUSTIN TRUDEAU:** I've heard that you
3 used it yesterday.

4 **MR. NANDO DE LUCA:** Okay. And if that time
5 period is correct, 54 days, have you learned at all, or do
6 you have any understanding as to whether that length of time
7 for the processing of a CSIS application for Minister
8 approval for a warrant is ordinary, out of the ordinary,
9 extraordinarily out of the ordinary? Have you formed any
10 view on that?

11 **RT. HON. JUSTIN TRUDEAU:** Because I have, as
12 Prime Minister, absolutely no involvement in the process
13 whereby CSIS is granted warrants, I have no frame to conclude
14 on that. What I can lean on is I believe the Director of
15 CSIS raised that there was no flags about the timelines
16 involved.

17 **MR. NANDO DE LUCA:** Okay. Mr. Blair remains
18 in Cabinet today, Sir?

19 **RT. HON. JUSTIN TRUDEAU:** Yes.

20 **MR. NANDO DE LUCA:** Okay. And he serves as
21 the Minister of National Defence; doesn't he?

22 **RT. HON. JUSTIN TRUDEAU:** Yes.

23 **MR. NANDO DE LUCA:** Okay. Just give me a
24 second.

25 And has Minister Blair, or anyone in his
26 office at the time that he was Minister for Public Safety,
27 faced any consequences for the fact that that warrant
28 application we've come to know, did languish in that office

1 for what I'm going to suggest to you is a period of 54 days?

2 **RT. HON. JUSTIN TRUDEAU:** Like I said, the
3 Director of CSIS himself testified that he had no issues with
4 the timelines involved, and I can certainly say that I
5 continue to have full confidence in everyone involved.

6 **MR. NANDO DE LUCA:** Okay. I want to switch
7 subjects. You leveled some criticism and professed
8 bewilderment at the leader of the CPC this morning not
9 agreeing to receive a security clearance. Is that correct?

10 **RT. HON. JUSTIN TRUDEAU:** Yes.

11 **MR. NANDO DE LUCA:** Am I correct, Sir, that
12 Mr. Poilievre has said that the reason he does not wish to
13 receive the security clearance is because he does not want to
14 be constrained in terms of the use he can make of the
15 information that he would receive?

16 **RT. HON. JUSTIN TRUDEAU:** I don't believe
17 that was his argument. I believe his argument was that he
18 wouldn't be able to talk about the information he received.

19 **MR. NANDO DE LUCA:** How is that different
20 than what I just said?

21 **RT. HON. JUSTIN TRUDEAU:** Because as leader
22 of a political party you have many, many tools at your
23 disposal to act on information you receive. You can choose
24 to not sign the nomination of a candidate who is under a
25 cloud of suspicion. You can choose to not elevate them to a
26 critic's position. You can choose to not promise to make
27 them a Minister one day. You can -- you have many -- you can
28 choose which committees they sit on.

1 A leader of a party has many, many tools that
2 they can use that are not requiring him to speak publicly
3 about his knowledge. The leader of a party has quite a bit
4 of power over what happens within that party, and that's why
5 the ultimate decision maker in a political party should
6 always be the leader.

7 **MR. NANDO DE LUCA:** Are you aware that there
8 are other security cleared individuals within the CPC that
9 can and do receive regular security briefings?

10 **RT. HON. JUSTIN TRUDEAU:** I think you're
11 speaking of Ian Todd, the Chief of Staff?

12 **MR. NANDO DE LUCA:** Among others, yes.

13 **RT. HON. JUSTIN TRUDEAU:** I can't help but
14 imagining how people would react if I sort of sat back and
15 said, well, no, Katie Telford got cleared on this
16 information, she made a determination about who could run for
17 me or not and I don't need to worry about that sort of stuff.

18 Canadians didn't elect -- or Conservative
19 Party members didn't select Mr. Todd to make decisions about
20 who could run for the Conservative Party of Canada, they
21 expect Mr. Poilievre to take those decisions, but he has
22 decided that he doesn't want to take those decisions.

23 **MR. NANDO DE LUCA:** Sir, just over the lunch
24 break -- and you didn't mention Mr. Todd at all in the
25 bombshell disclosure that you made today. But just over the
26 lunch break, in light of that, in response to your news this
27 morning that you were aware of a number of CPC
28 parliamentarians and former parliamentarians that are at risk

1 of being compromised by foreign interference, Mr. Todd has
2 advised that he has received a number of top secret briefings
3 from the security establishment and in none of these
4 briefings has the name of any Conservative parliamentarian,
5 or candidate past or present, been brought to the attention
6 of Mr. Todd. Why is that?

7 **RT. HON. JUSTIN TRUDEAU:** You'd have to ask
8 CSIS for that. But my supposition is that Mr. Todd is not
9 the one who is responsible for determining what candidates
10 can run or not for the Conservative Party of Canada, that it
11 would be the leader. And much of the information that is
12 handed out to various individuals with security clearances is
13 determined on their need-to-know basis.

14 **MR. NANDO DE LUCA:** You indicated today, as I
15 indicated earlier in a very public forum, and in a very
16 public manner, your knowledge of the names of CPC
17 parliamentarians and the risk that they're -- they risk being
18 compromised by foreign interference. Am I correct, Sir, that
19 one way that you could arrange for those threats to be
20 mitigated is through the use of threat reduction measures
21 under section 12.1 of the *CSIS Act*?

22 **RT. HON. JUSTIN TRUDEAU:** Threat reduction
23 measures are tools that CSIS has used regularly in many cases
24 regarding different parliamentarians. And it is very
25 possible that a number of those parliamentarians will have
26 had visits from CSIS and either defensive briefings or
27 others, to try and mitigate the risks that they are going
28 through. That is different from a leader choosing to

1 willfully remain ignorant of very serious contentions,
2 including by the NSICOP, that the leadership race that
3 elevated him to leader was compromised by foreign
4 interference.

5 **MR. NANDO DE LUCA:** And if the tool of the
6 TRMs were used, you couldn't use the Leader of the
7 Opposition's reluctance to obtain security clearance as an
8 excuse not to provide that information to the CPC. Isn't
9 that correct?

10 **RT. HON. JUSTIN TRUDEAU:** I'm sorry, I'm not
11 following. Can you rephrase the question?

12 **MR. NANDO DE LUCA:** Sure. If someone wanted
13 to get this information, this information about the names of
14 the parliamentarians for example, because of some imminent
15 threat to the leader of the CPC, TRMs could be used, and in
16 that event it wouldn't be necessary for the CPC to obtain
17 security clearance.

18 **RT. HON. JUSTIN TRUDEAU:** No. You're
19 entirely wrong on that. If you were to know that a certain
20 candidate had a high degree of exposure to foreign
21 interference and vulnerability, either witting or unwitting,
22 giving a threat reduction measure to that candidate would not
23 necessarily, and quite frankly in my experience, highly
24 unlikely to have the candidate spontaneously decide to step
25 down as either a candidate or a member of Parliament and not
26 run in the next election.

27 That is a determination that only a leader
28 can make looking at the vulnerabilities of that candidate,

1 looking at the behaviour, and to use the words of the NSIA,
2 potentially poor judgement, or inappropriate behavior, or
3 untrustworthiness. Those are the kinds of things that only a
4 leader can actually ensure for the team that they're
5 building. And potentially future ministerial elevations that
6 would then have to run into a security clearance process that
7 would stop them like a brick wall.

8 Knowing that as a leader, as you are hoping
9 to become Prime Minister of this country, would seem to be a
10 very basic bar to hit if you want to take national security
11 seriously.

12 **MR. NANDO DE LUCA:** But the premise -- the
13 underlying premise of that answer you just gave is that the
14 TRM has to -- can only be directed at the person affected and
15 not the leader of the opposition. Isn't that correct? The
16 TRM could be directed to Mr. Poilievre.

17 **RT. HON. JUSTIN TRUDEAU:** The identities of
18 the people involved are themselves classified and available
19 to only those with top secret clearances. So certainly, CSIS
20 could go to the leader of the opposition and say, you really
21 have to be careful to instruct all of your MPs to stay away
22 from this country or to be concerned about diplomats from
23 that country or not accept money. But from -- or not accept
24 support from these particular diplomats.

25 But the TRM would be unable to identify which
26 of those individuals are in question unless the leader chose
27 to get a security clearance to be able to hear those names.
28 And the fact that the leader does not, leaves him in a

1 position of being unable to protect the integrity of his
2 party.

3 **MR. NANDO DE LUCA:** I'm going to suggest that
4 you're wrong on your understanding of the law as to what a
5 TRM can and can't do and who it can be directed to. And I'm
6 going to suggest that the fact that you leveled this
7 accusation earlier today and didn't mention the possibility
8 of a TRM was just for the purpose of grandstanding here
9 today.

10 **RT. HON. JUSTIN TRUDEAU:** On the contrary,
11 threat reduction measures are regularly used to highlight to
12 people potential vulnerabilities. But having watched many,
13 and having known a number of parliamentarians who went
14 through TRMs, they often come out of TRMs with a general
15 sense of having to be more careful, but specifics are often
16 not given. And there is no guarantee that a TRM to the
17 leader of the party would include the names of the people
18 most at risk or most engaged in potentially problematic
19 activity. And that's why the refusal of the leader to
20 actually access the intelligence on those names is, as I
21 said, bewildering.

22 **MR. NANDO DE LUCA:** Do you agree that often
23 when CSIS or some other security agency shares classified
24 information the recipient is severely constrained in what he
25 or she can do with that information?

26 **RT. HON. JUSTIN TRUDEAU:** Yes.

27 **MR. NANDO DE LUCA:** Okay. And in fact, your
28 own Chief of Staff yesterday gave evidence that the recipient

1 of that information would not be able to use that information
2 in any manner. Do you agree with that?

3 **RT. HON. JUSTIN TRUDEAU:** No, I disagree,
4 because the party leader can choose to not allow someone to
5 run for them for any number of reasons, knowing in that back
6 of your mind that this is the real reason, but giving it as
7 an example, I'd actually prefer to have this other person run
8 instead, or you had, you know, sketchy business dealings in
9 the past. That means we're not going to go with you. There
10 are all sorts of reasons that do not prove injurious to
11 national security. The leader has a level of power over who
12 runs and what roles they have that doesn't require them to
13 explain themselves. So, again, the choice that Mr. Poilievre
14 has made to not avail himself of available information, of
15 readily available information to him if he were to get a
16 security clearance and choose to take national security
17 issues seriously is unfortunate and shows a lack of
18 seriousness around national security.

19 **MR. NANDO DE LUCA:** And in your salacious
20 testimony earlier today, you mention that you're aware of the
21 names of past and present Conservative parliamentarians,
22 former parliamentarians, candidates that are in risk of being
23 compromised by foreign interference. I'd like to ask you,
24 are you aware of the names of any Liberal parliamentarians,
25 former parliamentarians or candidates that are at risk of
26 being compromised by FI?

27 **RT. HON. JUSTIN TRUDEAU:** Yes, and for other
28 parties as well, because I have access to large amounts of

1 information.

2 **MR. NANDO DE LUCA:** Right. You didn't
3 mention those today; right?

4 **RT. HON. JUSTIN TRUDEAU:** We spent an entire
5 session the last time we had a public hearing talking about
6 concerns and named individuals that the -- that CSIS and
7 intelligence agencies had within the Liberal Party. Don
8 Valley North comes to mind as a riding. So as I have said
9 many times, there have been actions taken and choices made
10 based on information we got because I have that security
11 clearance.

12 **MR. NANDO DE LUCA:** Right.

13 **RT. HON. JUSTIN TRUDEAU:** Mr. Poilievre has
14 decided not to get that security clearance, so he can't even
15 know how to begin or not to make decisions regarding that
16 information.

17 **MR. NANDO DE LUCA:** Okay. So you've
18 acknowledged Mr. Dong. I want to see if you can help us with
19 -- in connection with the warrant application that we were
20 talking about earlier, that I was talking about earlier with
21 you. Can you confirm that either the target of the
22 information or one or more of the individuals on the
23 Vanweenan list were Liberal operatives?

24 **MR. BARNEY BRUCKER:** We object to that ---

25 **RT. HON. JUSTIN TRUDEAU:** I can't ---

26 **MR. BARNEY BRUCKER:** --- question on the
27 grounds of national security.

28 **MR. NANDO DE LUCA:** With all due respect,

1 Madam Commissioner, when it suits the Prime Minister's
2 purpose to say that there are Conservatives on a list that he
3 can discuss or he can't discuss, that's fine, but when I ask
4 for confirmation if there are Liberal operatives that are on
5 a list ---

6 RT. HON. JUSTIN TRUDEAU: I said yes.

7 MR. NANDO DE LUCA: --- my friend -- well,
8 I'm asking you in particular on that list there.

9 RT. HON. JUSTIN TRUDEAU: But that is ---

10 MR. NANDO DE LUCA: On the warrant or on the
11 Vanweenan list.

12 RT. HON. JUSTIN TRUDEAU: The Prime Minister
13 has absolutely no engagement or authorities or involvement in
14 the granting of CSIS warrants. That's a very different thing
15 than concerns about parliamentarians who may have been
16 exposed to foreign influence. And your attempts to conflate
17 them are simply ineffective.

18 MR. NANDO DE LUCA: Well, you're attempting
19 to evade the question. I just asked you if any of the names
20 there were Liberal operatives, not whether you could or
21 couldn't do anything about it. That's all I'm asking for
22 confirmation of.

23 MR. BARNEY BRUCKER: Well, if we're -- I'm
24 not sure what we're talking about. If we're talking about
25 the warrant -- anything that might be related to the warrant,
26 then there's an objection to the question. If we're talking
27 about some other list, then ask the question about the other
28 list.

1 **MR. NANDO DE LUCA:** Well, it's ---

2 **COMMISSIONER HOGUE:** So it's about the
3 warrant ---

4 **MR. NANDO DE LUCA:** --- it's about the ----

5 **COMMISSIONER HOGUE:** It's about the warrant?

6 **MR. NANDO DE LUCA:** --- the target of the
7 warrant or the people that are named in the Vanweenan list
8 that accompany the warrant. Are there ---

9 **COMMISSIONER HOGUE:** So the questions are
10 noted. I have no choice, as you know, and we'll see whether
11 the Commission will pursue these questions or not.

12 **MR. NANDO DE LUCA:** Thank you, Madam
13 Commissioner.

14 **COMMISSIONER HOGUE:** Thank you.

15 **MR. NANDO DE LUCA:** Thank you, Prime
16 Minister.

17 **RT. HON. JUSTIN TRUDEAU:** Thank you.

18 **COMMISSIONER HOGUE:** So we'll take the break.
19 I think 15 minutes will be okay, so we'll come back at 3:15.

20 **THE REGISTRAR:** Order, please. À l'ordre,
21 s'il vous plaît.

22 This sitting of the Commission is now in
23 recess until 3:15. Cette séance de la Commission est
24 maintenant suspendue pause jusqu'à 15 h 15.

25 --- Upon recessing at 3:02 p.m./

26 --- La séance est suspendue à 15 h 02

27 --- Upon resuming at 3:16 p.m./

28 --- La séance est reprise à 15 h 16

1 **THE REGISTRAR:** Order please. À l'ordre, s'il
2 vous plaît.

3 This sitting of the Foreign Interference
4 Commission is now back in session. Cette séance de la
5 Commission sur l'ingérence étrangère est de retour en
6 session.

7 The time is 3:16 p.m. Il est 15 h 15.

8 **--- RT. HON. JUSTIN TRUDEAU, Resumed/Sous le même serment:**

9 **COMMISSIONER HOGUE:** So next one is Ms. Teich
10 for the Human Rights Coalition.

11 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

12 **MS. SARAH TEICH:**

13 **MS. SARAH TEICH:** Good afternoon, Mr. Prime
14 Minister. We heard earlier this month from Katpana Nagendra,
15 spokesperson of Tamil Rights Group, that it is imperative
16 that Canada takes decisive actions to hold the Sri Lankan
17 Government accountable as a root cause of transnational
18 repression. Specifically, Ms. Nagendra stated that the Sri
19 Lankan Government's ongoing interference in the lives of
20 Tamil Canadians will only cease once they are held fully
21 accountable, since as long as they continue to operate with
22 impunity, feeling shielded from repercussions for their war
23 crimes and human rights violations, they will persist in
24 using intimidation tactics against Tamil activists in Canada.
25 Do you agree with this view?

26 **RT. HON. JUSTIN TRUDEAU:** I'm sorry, I'd need
27 to know more of the context. I certainly agree that the --
28 like many diaspora communities, Tamil Canadians are exposed

1 to actions by the Government of Sri Lanka that we need to do
2 everything we can to protect them from.

3 **MS. SARAH TEICH:** Okay. Thank you. Mr.
4 Prime Minister, under your leadership there have been
5 commendable efforts to resettle vulnerable populations in
6 response to global conflicts. There's the Afghan Refugee
7 Settlement Initiative. There's another special stream for
8 Ukrainians, and, of course, M-62 passed recently, which
9 creates one for Uyghurs. However, as far as I know, there
10 has never been a special refugee stream created in response
11 to a crisis in Africa. There's family reunification
12 available now for refugees from Sudan, which, of course, is
13 different from a special stream. Meanwhile, Tigrayans are in
14 danger in the region and there has been highly disturbing
15 evidence of Eritrean forces in Tigray forcibly deporting
16 Eritreans in Tigray back to Eritrea. Diaspora groups
17 representing these communities have expressed concern that
18 there has been no special stream created in response to these
19 crises. Do you share these concerns?

20 **RT. HON. JUSTIN TRUDEAU:** I am, of course,
21 very concerned with the situation in Sudan and in the region.
22 Canada's response to various challenges around the world,
23 beginning with the special stream, although we didn't call it
24 that way for Syrian refugees, has continued to happen on a
25 case-by-case basis. They are all slightly different in terms
26 of cases. What we have done in terms of the family
27 reunification around Sudan is significant, and we're always
28 looking for ways to do more.

1 **MS. SARAH TEICH:** Would you oppose the
2 creation of special streams for Tigrayans and Eritreans to
3 come to Canada?

4 **RT. HON. JUSTIN TRUDEAU:** That is not a
5 proposal before Cabinet or before -- in discussions right
6 now, but as we look at how Canada can best help in Africa and
7 elsewhere, I'm sure there will be different things looked at.

8 **MS. SARAH TEICH:** Okay. Another
9 recommendation that diaspora groups have repeatedly made is
10 that Canada should avoid cooperating with authoritarian
11 regimes on criminal matters. The rationale behind this
12 suggestion is fairly simple, because authoritarian regimes do
13 not operate under the rule of law, Canada should not assist
14 these regimes in removing individuals from Canada whom they
15 accuse of committing crimes. Do you disagree?

16 **RT. HON. JUSTIN TRUDEAU:** Canada has a very
17 strong policy around extraditions, around deportations, and
18 we make evaluations on a country-by-country, and indeed case-
19 by-case basis.

20 **MS. SARAH TEICH:** There is, at present, a
21 treaty between Canada and China on mutual legal assistance in
22 criminal matters. Would you object to this treaty being
23 terminated?

24 **RT. HON. JUSTIN TRUDEAU:** I think it is
25 certainly a question that we have reflected on over the past
26 years. With China, it is important to try and have a
27 complete approach. There are initiatives, and an example of
28 that is the Montreal-Kunming Convention of the Parties 15 on

1 Biodiversity in Montreal a couple of years ago where working
2 with China on protecting biodiversity in nature actually
3 resulted in a landmark agreement around the world of, you
4 know, where China successfully brought in many countries of
5 the global south to protect nature that demonstrated there
6 are areas in which we can work alongside China for the
7 benefit of Canadians and others.

8 There are other situations in which we are
9 competing and challenging -- competing with China on
10 economics, whether it's the significant trade relations with
11 China, or economic opportunities that we are pursuing, but
12 also very conscious of the risks on, but there are areas in
13 which we are directly challenging China, whether it's on
14 democracy in Hong Kong, or the safety of the Uyghurs, or many
15 other issues.

16 And as we move forward in this relationship
17 where we are very clear, at a high level, where China is, we
18 make determinations about how to use various instruments at
19 our disposal.

20 **MS. SARAH TEICH:** Sure. And I appreciate all
21 of that, but I am asking specifically on cooperation in
22 criminal matters. Would you agree that it isn't appropriate
23 at this stage for Canada and China to be cooperating in
24 criminal matters?

25 **RT. HON. JUSTIN TRUDEAU:** I would contend
26 that regardless of what an agreement might say, the actual
27 cooperation right now is very carefully looked at if any of
28 it exists at all.

1 **MS. SARAH TEICH:** Okay.

2 **RT. HON. JUSTIN TRUDEAU:** And that is always
3 top of mind as we work together or as we look to whether or
4 not we work together. We look at the whole context of it.

5 **MS. SARAH TEICH:** All right. We have
6 primarily dealt in these hearings with regimes considered to
7 be the major players: China; Russia; Iran; India. But of
8 course there are smaller dictatorships in the world that
9 collaborate with these bigger players. And I raised an
10 example of this in my cross-examination of Mr. Shortliffe *vis*
11 *a vie* Cuban state broadcasters replaying *Russia Today*
12 programing in Canada. And indeed, Cuban human rights
13 activists have flagged that Canada must address Cuban
14 collaboration with the likes of China and Russia in order to
15 comprehensively address the threats posed by those countries.
16 Would you agree with that assertion?

17 **RT. HON. JUSTIN TRUDEAU:** I think how we deal
18 with every and any country in the world needs to be very
19 alert to the context, alert to the potential pitfalls or
20 dangers, but also the potential benefits to Canadians in
21 having a nuanced foreign policy that recognizes both
22 challenges and dangers and opportunities is the hard work
23 that the government does on an ongoing basis.

24 **MS. SARAH TEICH:** I understand that the
25 Canadian Government engages in dialogue with Cuban Government
26 actors. Another point that Cuban human rights activists have
27 repeatedly made is that the Canadian Government should also
28 be meeting with pro-democracy groups in Cuba. Would you

1 agree with that?

2 **RT. HON. JUSTIN TRUDEAU:** I can say from
3 personal experience that I know we do engage and have engaged
4 with pro-democracy groups all around the world.

5 **MS. SARAH TEICH:** Does that include in Cuba?

6 **RT. HON. JUSTIN TRUDEAU:** I believe so, but I
7 would have to know -- I'm not apprised on it in its latest
8 forms, where that's ongoing right now or not.

9 **MS. SARAH TEICH:** Okay. And if Canada does
10 not engage with pro-democracy groups in Cuba, would you agree
11 that Canada should?

12 **RT. HON. JUSTIN TRUDEAU:** It is part of the
13 responsibility of every Canadian Mission overseas to engage
14 with civil society organizations and, you know, various
15 actors, not just governments of the -- of any given country.
16 So I am actually quite certain that Canada does engage with a
17 range of civil society actors in Cuba, like everywhere else.

18 **MS. SARAH TEICH:** Okay. And not to hammer
19 the point, but just I want to make sure I get this right. If
20 it is the case that the Embassy does not, do you agree that
21 it should?

22 **RT. HON. JUSTIN TRUDEAU:** I have just stated
23 that I believe that it is important for every Mission around
24 the world to engage with civil society in the country in
25 which it's in in a way that is appropriate for that context.

26 **MS. SARAH TEICH:** Okay. Thank you. I have
27 no further questions.

28 **COMMISSIONER HOGUE:** Thank you.

1 Mr. Doody for the Ukrainian-Canadian
2 Congress.

3 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR

4 MR. JON DOODY:

5 MR. JON DOODY: Good afternoon, Prime
6 Minister. I'd like to talk about expelling diplomats from
7 Canada. Last week on October 8th, the Director of MI5, Ken
8 McCallum, gave a speech in which he stated that:

9 "Over 750 Russian diplomats have been
10 expelled from Europe since Putin
11 invaded [Ukraine in 2022], the great
12 majority of them spies. This goes
13 well beyond all historical precedent
14 -- and has put a big dent in the
15 Russian intelligence services'
16 ability to cause damage in the West.
17 With allies, we're keeping up that
18 pressure by denying diplomatic visa
19 applications from Russian spies.
20 It's not flashy, but it works. Kick
21 them out, keep them out."

22 Canada has not expelled a Russian diplomat
23 since March of 2018 when seven Russian diplomats were
24 expelled in solidarity with United Kingdom in response to a
25 nerve agent attack.

26 Today Russia has 69 diplomats in Canada. By
27 comparison, the U.K. has 53, and Germany has 50.

28 Why does the Canadian Government permit

1 Russia, a hostile foreign state, to not only have diplomats
2 in Canada, but such a large number of them, exceeding the
3 number of some of our closest allies?

4 **RT. HON. JUSTIN TRUDEAU:** I don't have the
5 numbers that you have, so I'm not going to repeat them, but I
6 do know that a big part of diplomacy is ensuring that we both
7 have -- that we have an opportunity to talk with adversary
8 countries at home, but that we also have presence on the
9 ground in Moscow and in Russia writ large.

10 I know for a fact that Canada's diplomatic
11 presence in Russia is reaching a point at which should it
12 decrease much further, would be difficult to sustain at all,
13 and I believe that there is value in continuing to have
14 Canadians in Russia as it continues to be such a bad actor on
15 the world stage.

16 **MR. JON DOODY:** As part of that, Canada has
17 currently 17 diplomats deployed in Russia. And so I
18 understand the need to have someone there, but 17 Canadian
19 diplomats in Russia versus 69 Russian diplomats in Canada
20 seems quite uneven. It's four to one.

21 **RT. HON. JUSTIN TRUDEAU:** Again, I'm not
22 going to speak to the number of Russian diplomats in Canada,
23 unless you can show me documentation from the government that
24 highlights that. I'm not saying you're automatically wrong.
25 I'm just saying that I know that our clear opposition to the
26 Putin regime is well established, our support for Ukraine is
27 well established, and quite frankly, counting diplomats is
28 something that can be one measure of examining relations

1 between a country, but is a fairly narrow view of whether or
2 not Canada is standing up to Russia adequately or not.

3 **MR. JON DOODY:** Okay. If Canada is in
4 solidarity with Ukraine, why were no diplomats expelled from
5 Canada after the invasion of Ukraine, but it was when there
6 was a nerve agent attack in the U.K.?

7 **RT. HON. JUSTIN TRUDEAU:** As I specified, the
8 small number of Canadian diplomats currently in Russia have
9 reached something close to a threshold where if we go any --
10 or much lower, we might not be able to have a diplomatic
11 presence in Russia at all, and we feel that we can do more
12 for Ukraine and for the rules based order in the world by
13 continuing to be present in Russia, as Canada always has,
14 including through the Cold War.

15 **MR. JON DOODY:** And are you concerned with
16 the message that the government's sending by this lack of
17 action to the Ukrainian Canadian community that ---

18 **RT. HON. JUSTICE TRUDEAU:** No.

19 **MR. JON DOODY:** --- it may care about Russian
20 actions in the UK, but an illegal invasion of their home
21 country does not get the same response?

22 **RT. HON. JUSTICE TRUDEAU:** No, I think that's
23 a ridiculous contention. I think we have demonstrated time
24 and time again, including with billions of dollars and
25 renewal of a free trade agreement with Ukraine with very,
26 very clear leadership on the world stage both in military
27 support and financial support, in driving Europe and others
28 towards seizing the benefits of Russian assets in order to

1 continue to fund the heroic resistance of Ukrainians against
2 Ukraine (sic). Canada is one of those countries that has
3 been extremely fortunate to not have much in the way of
4 political disagreements in our unequivocal stand with
5 Ukraine, the only exception, obviously, being when the
6 Conservative Party refused to renew the Ukraine-Canada free
7 trade deal, but it passed anyway in the House and we continue
8 to stand strong with Ukraine.

9 **MR. JON DOODY:** Much of the evidence we've
10 heard in this Inquiry is focused on the ability of the
11 government to detect and deter foreign interference at a
12 governmental level but, of course, foreign interference
13 activities affect more than just parliamentarians, but also
14 Canadian citizens, specifically those of diaspora
15 communities. And we've heard from witnesses that it can be
16 difficult for individual citizens to be able to counter
17 foreign interference, especially being able to detect mis or
18 disinformation.

19 Aside from trusting the government is doing
20 their best to protect Canadians, do you have any advice to
21 Canadian citizens, specifically members of diaspora
22 communities, on how they can best protect themselves from
23 foreign interference?

24 **RT. HON. JUSTICE TRUDEAU:** I would actually
25 contend that one of the most important responsibilities of
26 the government in regards to foreign interference is to work
27 with diaspora communities who are usually the first victims
28 of foreign interference. We know that interference by

1 countries around the world on Canadian diasporas is a real
2 challenge, and that is why we have put in place many measures
3 and will continue to work with various diaspora communities
4 to counter that.

5 That is something that we do in an ongoing
6 fashion and will continue to do.

7 **MR. JON DOODY:** But again, it involves --
8 relation to the government and Canadian citizens, there's not
9 much citizens can do on their own to deter foreign
10 interference within their communities.

11 **RT. HON. JUSTICE TRUDEAU:** No, that's simply
12 not true. I could point out to the fact that the Iranian
13 Canadian community is very active to threats that the Iranian
14 regime poses on them and I know the Ukrainian Canadian
15 community is very active in pushing back against Russian
16 false narratives, needing no help from the government on
17 that, although we are certainly there to help.

18 So I would actually disagree with your
19 contention and point out that there are many Canadian
20 community groups and diaspora groups that are very active in
21 an ongoing way in countering propaganda, misinformation and
22 disinformation.

23 **MR. JON DOODY:** And my last question, Prime
24 Minister, Parliament adopted a motion on May 31st, 2023 to
25 establish a public inquiry into foreign interference and you,
26 along with the rest of the Liberals, voted against it. And
27 at that time, you raised concern that if it was to happen,
28 much of it would have to happen behind closed doors.

1 And so I'd like to know today at the end of
2 the Inquiry where you've heard a number of witnesses say that
3 they can't answer questions because of national security
4 concerns and we know that a number of witnesses testified *in*
5 *camera* with only summaries being disclosed publicly, does the
6 concern you had in May of 2023 still a concern you have
7 today?

8 **RT. HON. JUSTICE TRUDEAU:** Well, I think you
9 just sort of proved my point in your question. But what I
10 will say is in a very difficult context the Commission has
11 done outstanding work in navigating through some very, very
12 delicate matters knowing full well that it's not just
13 Canadians watching, but our adversarial countries around the
14 world are watching closely every document that is published
15 here, every word uttered by everyone testifying before this
16 Commission, to try and find out where our strengths are,
17 where their vulnerabilities are, what our tradecraft is, how
18 they can further their goals of interfering in Canadian
19 democracy. So I would say that that has been top of mind for
20 everyone involved in this Commission all the way through,
21 which is why we are careful about respecting national
22 security.

23 But at the same time, I think this exercise
24 has demonstrated to Canadians how robust the measures this
25 government has put forward on national security and to
26 counter foreign interference are and, quite frankly, to go to
27 the origins of the question of foreign interference,
28 Canadians can take great comfort with confidence in the fact

1 that the results of the 2019 and 2021 election were
2 determined by Canadians themselves, that the election
3 integrity held. And that was, as we'll remember, one of the
4 core concerns about the question of foreign interference.

5 **MR. JON DOODY:** Thank you.

6 **COMMISSIONER HOGUE:** Thank you.

7 Mr. Sirois for the RCDA.

8 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

9 **Me GUILLAUME SIROIS:**

10 **Me GUILLAUME SIROIS:** Bonjour... rebonjour,
11 Monsieur le Premier Ministre.

12 J'aimerais discuter de la propagande russe et
13 de l'effet sur la population canadienne des décisions
14 politiques.

15 Vous avez parlé des activités... que les
16 activités hostiles d'États étrangers ont augmenté dans les
17 dernières années, particulièrement depuis l'invasion de
18 l'Ukraine par la Russie. J'aimerais revenir sur les
19 évènements qui ont entouré le début de cette invasion.

20 L'invocation de la *Loi sur les mesures*
21 *d'urgence* particulièrement était le 14 février. Le Convoi de
22 la liberté qui a paralysé le pays a été démantelé le
23 23 février, et la Russie a traversé la frontière de l'Ukraine
24 le lendemain, le 24 février.

25 Est-ce que mes dates sont bonnes?

26 **RT. HON. JUSTIN TRUDEAU:** Euh... oui. Oui, je
27 pense, j'ai pas les dates devant moi, mais ça semble
28 vraisemblable.

1 **Me GUILLAUME SIROIS:** Vraisemblable.

2 **RT. HON. JUSTIN TRUDEAU:** Le 24,
3 effectivement, mais pour les autres dates, je te crois sur
4 parole.

5 **Me GUILLAUME SIROIS:** Merci. J'apprécie.
6 J'aimerais vous montrer RCD60, s'il vous
7 plaît.

8 **--- EXHIBIT No./PIÈCE No. RCD0000060:**

9 View of Russia's Role in the Far-
10 Right Truck Convoy

11 **Me GUILLAUME SIROIS:** Il s'agit d'un article
12 publié dans la revue *The Journal of Intelligence, Conflict,*
13 *and Warfare* publié le 16 février 2023 par une chercheuse du
14 nom de Caroline Orr, cette chercheuse se spécialise en
15 désinformation. Donc, la recherche portait sur le rôle de la
16 Russie dans le Convoi de la liberté et particulièrement une
17 analyse de l'activité médiatique en lien avec le Convoi de la
18 liberté en 2022.

19 L'analyse a 22 pages, mais je vais vous
20 porter particulièrement à la conclusion de cette étude-là
21 qu'on voit ici.

22 Non, juste ici. Merci.

23 La dernière phrase, en fait :

24 "Based on these..."

25 Can we go back to -- on the abstract, please?

26 Yes. Thank you.

27 "Based on these findings, it is
28 reasonable to infer that there was

1 Russian involvement in the 2022 truck
2 convoy, though the scope and impact
3 remain to be determined."

4 Est-ce que vous croyez que la Russie a
5 amplifié le Convoi de la liberté en février 2022 pour
6 distraire le monde, le Canada, de son invasion en Ukraine?

7 **RT. HON. JUSTIN TRUDEAU:** Em... je suis
8 certainement d'accord que la Russie a amplifié le chaos et
9 les désaccords et différends au Canada autour du Convoi. Ils
10 sont très opportunistes à ce niveau-là qu'ils vont amplifier
11 tout désaccord ou différend, surtout dans notre démocratie,
12 dans nos processus démocratiques.

13 Mais je ne... ayant vu ces implica... ces
14 activités de RT, y compris dans les informations les plus
15 récentes qu'on a eues sur le groupe Tenet, je dirais que ce
16 serait difficile de tirer des conclusions directes sur
17 l'invasion russe et les activités au Cana... de l'Ukraine et
18 les activités au Canada parce que ces activités russes de
19 propagande et de désinformation et de mésinformation sont
20 assez constantes dans nos médias sociaux, dans notre
21 démocratie canadienne par la Russie.

22 Donc...

23 **Me GUILLAUME SIROIS:** OK.

24 **RT. HON. JUSTIN TRUDEAU:** ...de dire que...

25 **Me GUILLAUME SIROIS:** Oui.

26 **RT. HON. JUSTIN TRUDEAU:** ...l'un est
27 directement lié à l'autre, je ne serais pas à l'aise...

28 **Me GUILLAUME SIROIS:** Je comprends.

1 **RT. HON. JUSTIN TRUDEAU:** ...sans beaucoup plus
2 de preuves concrètes de faire ce lien-là.

3 **Me GUILLAUME SIROIS:** Aucun problème. Non, je
4 ne vous demande pas de faire le lien nécessairement, mais
5 j'apprécie votre réponse.

6 On peut aller voir juste les messages qui
7 étaient transmis ou amplifiés dans ce contexte-là. C'est à
8 partir de la page 7. Il y a quelques captures d'écran qui ont
9 été reproduites par la chercheuse.

10 On peut descendre un peu, s'il vous plaît. Et
11 zoomer un peu aussi, agrandir l'image pour qu'on puisse bien...
12 mieux voir les titres.

13 Je sais qu'il y en a plusieurs que c'est
14 assez petit, mais...

15 **RT. HON. JUSTIN TRUDEAU:** Mm-mm.

16 **Me GUILLAUME SIROIS:** Je vais vous en lire
17 quelques-uns. Donc, à peu près au milieu, on voit « Canada's
18 [...] Convoy has perfectly exposed legacy media's conceited
19 bias » ou encore « Half of Canadians say Trudeau 'is not up
20 to the job' », or « MEP accuses Canada of human rights
21 violations ».

22 Donc, le Convoi de la liberté est terminé
23 depuis longtemps, mais ces messages sont toujours véhiculés
24 aujourd'hui, des messages semblables sont toujours véhiculés
25 aujourd'hui, n'est-ce pas?

26 **RT. HON. JUSTIN TRUDEAU:** Oui, on a vu que des
27 messages de anti-vax pendant le Convoi et pendant la pandémie
28 qui ont été amplifiés par la propagande russe,

1 particulièrement dans les médias de droite, a continué par
2 des messages dans les mêmes... sous les mêmes gens qui
3 partageaient des messages anti-vax, maintenant par... pas pour
4 dire qu'il n'y avait pas des gens légitimement et
5 authentiquement anti-vax au Canada, mais ç'a été amplifié
6 énormément par la propagande russe. Et une fois que l'Ukraine
7 a été envahie, on a vu beaucoup de ces canaux se transformer
8 en propagande pro-Poutine.

9 On voit, et comme je viens de mentionner, on
10 vient de voir récemment que RT est en train de financer des
11 blogueurs et personnalités YouTube de droite en Amérique du
12 Nord, y compris avec des noms très, très connus comme Jordan
13 Peterson ou Tucker Carlson, pour amplifier des messages qui
14 déstabilisent les démocraties.

15 **Me GUILLAUME SIROIS:** Donc, on peut fermer le
16 document maintenant. Je vais passer un peu plus justement à
17 Tenet Media.

18 Donc, si je comprends bien de votre
19 témoignage, Tenet Media, ça s'inscrit dans cette même
20 stratégie-là et ces *modus operandi*, si on peut dire.

21 **RT. HON. JUSTIN TRUDEAU:** Oui.

22 **Me GUILLAUME SIROIS:** Je... vous avez parlé
23 aussi lors de témoignages d'augmentation du populisme de
24 droite dans les dernières années, relativement récemment.
25 Pensez-vous que ces opérations de la Russie peuvent
26 contribuer à l'augmentation de ce populisme au Canada?

27 **RT. HON. JUSTIN TRUDEAU:** Bien, écoutez, le
28 populisme n'a pas besoin de la Russie pour réussir, mais on

1 voit que la Russie est très active dans son désir de miner la
2 confiance des citoyens dans leur démocratie, et ça, à travers
3 le monde. Ce qu'on a vu avec l'interférence russe dans
4 l'élection présidentielle américaine en 2016, dans l'élection
5 présidentielle française en 2017, et aussi dans la campagne
6 Brexit au Royaume-Uni.

7 La Russie est très, très habile à amplifier
8 des méfiances ou des insatisfactions envers nos institutions
9 pour... dans les démocraties pour justement miner le sentiment
10 de confiance et d'appartenance, et de compétence, même, de
11 nos démocraties pour répondre aux grands enjeux. C'est une
12 approche qui n'est pas spécifique à des différentes
13 communautés comme dans le cas d'ingérence indienne, ou
14 iranienne, ou chinoise; on voit qu'il y a des liens avec des
15 communautés de diasporas. La Russie préfère ou a plus
16 d'habileté à envoyer des messages déstabilisants à la
17 population entière plutôt qu'à une communauté de diaspora et
18 est en train d'utiliser et d'instrumentaliser des voix qui
19 s'attaquent à notre démocratie et qui minent la confiance
20 dans les institutions pour que les gens ne croient plus ou au
21 moins croient moins dans la démocratie, puis ils le font de
22 façon très visible et présente.

23 **Me GUILLAUME SIROIS:** Et je comprends que le
24 populisme n'a pas besoin de la Russie pour réussir, mais je
25 veux quand même essayer de m'attarder le plus possible à ce
26 facteur-là vu que c'est quand même l'objet de cette
27 Commission.

28 Croyez-vous qu'il y a des partis politiques

1 ou des politiciens qui peuvent se servir de ces narratifs
2 plus polémiques là pour essayer d'avancer leurs propres
3 intérêts, par exemple?

4 **RT. HON. JUSTIN TRUDEAU:** Bien, une chose
5 qu'on a vue, c'est que souvent des propos de certains partis
6 sont plus aptes à être amplifiés par la Russie. Certains
7 éléments de désinformation que la Russie peut mettre de
8 l'avant seront aussi amplifiés par certains acteurs
9 politiques. C'est un phénomène que plusieurs ont remarqué.

10 **Me GUILLAUME SIROIS:** Puis est-ce que cette
11 relation-là, est-ce que ça peut influencer les priorités de
12 certains partis? Disons qu'il y a plus d'insatisfaction en
13 lien avec des enjeux domestiques – par exemple, l'inflation,
14 les logements, et cetera – qui est amplifiée par la Russie,
15 est-ce que ça peut changer le focus de certains partis
16 politiques vers des enjeux plus domestiques versus des enjeux
17 plus politiques, comme l'aide à l'Ukraine, par exemple?

18 **RT. HON. JUSTIN TRUDEAU:** Bien, écoutez, on
19 sait qu'un des buts de la Russie, c'est de démontrer que les
20 démocraties ne fonctionnent pas, et donc, s'ils peuvent
21 amplifier la grogne ou le sentiment que tout est brisé, ils
22 vont absolument le faire.

23 That's it.

24 **Me GUILLAUME SIROIS:** That's it? OK.

25 On a vu aussi que le rôle... ben, on vient de
26 voir que le rôle de la Russie dans le Convoi de la liberté a
27 pris quand même plusieurs... un an pour qu'une chercheuse
28 puisse établir un certain lien de manière publique. Tenet

1 Media a été opérationnelle de novembre 2023 avant d'être
2 fermée en septembre 2024. Il est évidemment important
3 d'identifier et d'arrêter ces opérations-là, mais le mal est
4 déjà fait à ce moment-là, à partir... après que ces opérations-
5 là ont eu lieu.

6 Qu'est-ce qu'on peut faire de plus pour
7 essayer de dissuader la Russie de faire ces opérations-là en
8 premier lieu?

9 **RT. HON. JUSTIN TRUDEAU:** Bien, c'est une..
10 c'est une question plus large que tout simplement la
11 désinformation russe. Quand on parle de la propagande, la
12 mésinformation, la désinformation en ligne, on a des outils
13 qu'on peut utiliser et qu'on est en train de développer avec
14 les géants du web pour empêcher la mésinformation, la
15 désinformation, mais chaque fois qu'on entreprend des mesures
16 comme ça, il faut être très, très conscients que nous
17 privilégions la liberté d'expression au Canada et la libre
18 expression d'appuyer Vladimir Poutine si quelqu'un veut
19 l'appuyer. C'est une liberté que nous avons ici au Canada que
20 les Russes ne se permettent pas chez eux.

21 Et donc, de protéger nos libertés sans les
22 brimer, c'est toujours le travail délicat et essentiel d'une
23 société. Et je dis la société, pas juste du gouvernement.
24 Oui, le gouvernement a un certain rôle, mais les gens eux-
25 mêmes peuvent et doivent devenir plus vigilants et plus au
26 courant de ce qu'est la propagande russe.

27 On a vu plusieurs reportages aux États-Unis
28 où des individus ont découvert après seulement qu'ils ont

1 amplifié du contenu russe sans le savoir et étaient
2 réellement désolés parce qu'ils ne voulaient absolument pas
3 appuyer la Russie. Donc, d'en parler plus, de partager ces
4 réalités, d'apprendre, comme j'ai parlé plus tôt, de la
5 Lettonie et des autres pays baltes qui ont développé une
6 résilience citoyenne envers la désinformation et la
7 mésinformation russe par proximité et par le fait qu'ils sont
8 constamment exposés à ça, c'est quelque chose que nous
9 pouvons tous développer au Canada.

10 **Me GUILLAUME SIROIS:** Juste pour conclure, il
11 faut prendre ce problème-là avec le sérieux qu'il le mérite.

12 **RT. HON. JUSTIN TRUDEAU:** Oui. Tout à fait.

13 **Me GUILLAUME SIROIS:** Parfait. Merci.

14 **COMMISSAIRE HOGUE:** Merci.

15 **RT. HON. JUSTIN TRUDEAU:** Merci.

16 **COMMISSIONER HOGUE:** Mr. Chantler for the
17 Concern Group.

18 **--- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR**

19 **MR. NEIL CHANTLER:**

20 **MR. NEIL CHANTLER:** Thank you, Commissioner.

21 Afternoon, Prime Minister. Neil Chantler for
22 the Chinese Canadian Concern Group.

23 My clients are a group of Chinese Canadians,
24 professionals, journalists, activists, who are deeply
25 concerned about China's efforts to interfere with our
26 democracy. In their daily lives, they see Chinese language
27 media in Canada touting People's Republic of China party
28 lines. They see Chinese Canadian community associations

1 being overtaken by agents and proxies of the CCP, and they
2 see CCP proxies attending political fundraisers of all
3 parties, including of your own party. They see Chinese
4 Canadians being threatened, intimidated and coerced to return
5 to China for speaking out against China's human rights abuses
6 at home and abroad.

7 Will you agree with me that the basic premise
8 that hardening this country against foreign interference is
9 critical to ensure the safety and security of Chinese
10 Canadians?

11 **RT. HON. JUSTIN TRUDEAU:** As I've said
12 before, particularly in the case of Chinese Canadians,
13 diaspora groups are usually the first victims of foreign
14 interference, and we need to continue to do everything we can
15 to keep Chinese Canadians safe and to keep them from the
16 impacts of interference by the PRC.

17 **MR. NEIL CHANTLER:** And will you commit to
18 ensuring that partisan politics will not get in the way of
19 the government's efforts to respond to this problem?

20 **RT. HON. JUSTIN TRUDEAU:** I have endeavoured
21 every step of the way to minimize the impact of partisan
22 politics when it comes to foreign interference. It is
23 something that we have always taken seriously, something that
24 we have not tried to politicize. Something that can't always
25 be said for other parties. But for us, it should be
26 something that all Canadian parties can agree on, that
27 protecting Canadians of all backgrounds here in Canada should
28 be something we all work on.

1 **MR. NEIL CHANTLER:** In your testimony earlier
2 today, you took us to a meeting with President Xi Jinping, at
3 which the issue of overseas police stations came up. Do you
4 recall that evidence?

5 **RT. HON. JUSTIN TRUDEAU:** It was more on
6 interference in general. I didn't mention overseas police
7 stations, but I did talk about active foreign interference.

8 **MR. NEIL CHANTLER:** That was the G20 Summit
9 in Bali in November 2022. Correct?

10 **RT. HON. JUSTIN TRUDEAU:** In Indonesia, yes.

11 **MR. NEIL CHANTLER:** And your evidence earlier
12 today was that it wasn't a conversation that went very well.
13 Is that right?

14 **RT. HON. JUSTIN TRUDEAU:** Half of it was on
15 video, I think people saw that.

16 **MR. NEIL CHANTLER:** And then following the
17 meeting, foreign interference in Canada continued and in
18 fact, it may have even increased?

19 **RT. HON. JUSTIN TRUDEAU:** I think we've seen
20 a steady increase in foreign interference over the past years
21 as China has grown more and more assertive and aggressive in
22 promoting and defending the Communist Party of China's goals
23 and agenda. This isn't how China has always been, even in a
24 decade past. It has gotten much more aggressive over time
25 and Canada will -- has continued to work with partners and
26 allies around the world, but also has continued to strengthen
27 its own abilities to counter rising negative influence of
28 China.

1 **MR. NEIL CHANTLER:** Did you advise President
2 Xi that continued foreign interference in our country was
3 totally unacceptable?

4 **RT. HON. JUSTIN TRUDEAU:** Yes.

5 **MR. NEIL CHANTLER:** And did advise President
6 Xi that there would be repercussions to the Canada China
7 relationship if that activity was to continue?

8 **RT. HON. JUSTIN TRUDEAU:** That was implied.

9 **MR. NEIL CHANTLER:** What was your sense of
10 his reaction?

11 **RT. HON. JUSTIN TRUDEAU:** I think it's well
12 understood that he, and the PRC officials, and the Communist
13 Party of China deny that any such interference is happening
14 at all.

15 **MR. NEIL CHANTLER:** The CCP has already shown
16 that they are willing to flaunt our laws, to flaunt Canadian
17 sovereignty. We see that in the actions that they've taken
18 here and especially with respect to these overseas police
19 stations, perhaps. Does diplomacy with the Communist Party
20 of China have a meaningful role to play at this point in time
21 in deterring and countering foreign interference by that
22 government?

23 **RT. HON. JUSTIN TRUDEAU:** Yes. Diplomacy
24 always has a role to play. As has been pointed out a number
25 of times, we have diplomats not so we can talk to our
26 friends, but so we can talk to our adversaries.

27 **MR. NEIL CHANTLER:** And to stay on the
28 subject of these overseas police stations, you're well aware

1 that this inquiry has been tasked with investigating Canada's
2 capacity to detect, and deter, and counter foreign
3 interference. And with respect to those stations, I suggest
4 that it appears we were not able to detect them. They were
5 detected by a foreign NGO. At this time, we've made no
6 arrests, and we've expelled no diplomats as a consequence of
7 those operations in this country, doing nothing I suggest, to
8 deter those threats. And we may not have effectively
9 countered these threats as those operations may still be
10 continuing in this country.

11 Do you agree that the example of the overseas
12 police stations serves to highlight various weaknesses in our
13 system, in our limits to intelligence, our inadequate
14 criminal laws, some of which with the passage of Bill C-70
15 may have been rectified? But the need to enhance trust
16 amongst the diaspora, the intelligence to evidence problem,
17 and simply the futility of diplomacy with China. This
18 example highlights all of those weaknesses.

19 **RT. HON. JUSTIN TRUDEAU:** I would contend
20 that the example of Chinese police stations highlights most
21 the aggressive nature of China and how it is increasing its
22 tools for repression of its nationals, or its people who are
23 originally from China, everywhere around the world.

24 It is something that we have been pushing
25 back on significantly. We'll continue to use all tools,
26 whether its legal, or diplomatic, or intelligence, and we
27 will continue to seek to protect Canadians and ensure that
28 they are not being impacted as much as possible by hostile

1 state actors.

2 **MR. NEIL CHANTLER:** And do you agree that if
3 operations like that are continuing in this country, that
4 Canadians who are at risk, Members of the Chinese Canadian
5 population, ought to be informed of that risk?

6 **RT. HON. JUSTIN TRUDEAU:** I think part of
7 this Commission and part of the work that Canada is doing is
8 about highlighting the reality of foreign interference, while
9 at the same time we continue to take action against various
10 nexus' and vectors for foreign interference.

11 **MR. NEIL CHANTLER:** Have you or has your
12 office at any time weighed in with the Minister of Public
13 Safety on Canada's response to policing those overseas police
14 stations?

15 **RT. HON. JUSTIN TRUDEAU:** Yes.

16 **MR. NEIL CHANTLER:** And what has your -- and
17 how so, please explain?

18 **RT. HON. JUSTIN TRUDEAU:** Well, when the
19 first reports came out, we turned to the Minister of Public
20 Safety and his team and said, you need to follow up on this
21 and make sure that we're dealing with this appropriately.

22 **MR. NEIL CHANTLER:** And are you concerned
23 that there have not been arrests or charges in respect to
24 these?

25 **RT. HON. JUSTIN TRUDEAU:** There have been --
26 there have been many follow ups, and I know that work is
27 continuing to be ongoing.

28 **MR. NEIL CHANTLER:** Are you concerned that

1 those operations may still be continuing in this country?

2 **RT. HON. JUSTIN TRUDEAU:** Chinese attempts at
3 interference continue in this country. So we're going to
4 continue to try and prevent them.

5 **MR. NEIL CHANTLER:** Prime Minister, I'm going
6 to shift gears and ask you about something else. This public
7 inquiry will undoubtedly make a valuable contribution to our
8 country's efforts to combat foreign interference, and it's
9 brought sharply into focus the many significant steps that
10 have already been taken to combat foreign interference.

11 With respect to many of those steps, we've
12 heard that they've happened as a reaction to what you
13 referred to earlier as the criminal leaks. They led to
14 unprecedented briefings by CSIS with parliamentarians, and
15 the criminal leaks at least contributed to the expulsion of
16 Zhao Wei. And while those leaks undoubtedly without
17 question, put our intelligence agents, and sources, and
18 national reputation at grave risk of harm, there is a sense
19 that we might not be here in this room had they not occurred.
20 They galvanized the public around issues of foreign
21 interference, and they led to the appointment of the special
22 rapporteur and ultimately perhaps this inquiry.

23 Do you agree with that assertion? And as a
24 two-part question, how can we ensure that future governments
25 and security agencies work together in an effective,
26 measured, and proactive way on the ever-changing nature of
27 foreign interference so that that type of situation doesn't
28 occur again?

1 **RT. HON. JUSTIN TRUDEAU:** I actually deeply
2 disagree with your original contention that it was the leaks
3 that spurred this government into action on foreign
4 interference. Like I said, we started engaging with the
5 issue of foreign interference back in 2016 while we watched
6 the American presidential election. We created the Rapid
7 Response Mechanism in the lead up to the 2018 G7 that we
8 hosted here in Canada in Charlevoix.

9 We then moved forward on an MC focused on
10 protecting democracy, particularly from foreign interference,
11 where we established a SITE task force and the Panel of Five,
12 and various other mechanisms to ensure the integrity of our
13 elections. How we move forward on the creation not just of
14 NSICOP, National Security and Intelligence Committee of
15 Parliamentarians, but of NSIRA, the National Security and
16 Intelligence Review Agency.

17 We then moved forward on a number of MCs,
18 including the Hostile Actions by State Actors MC that
19 directly resulted in C-20. And I will point out that the
20 work on C-20 started long before there were any leaks.

21 So certainly I will agree that the
22 sensational nature of those criminal leaks piqued the
23 curiosity, and attention, and concerns of Canadians around
24 the issue of foreign interference, but it was very much
25 something with which this government had already been elbows
26 deep in dealing with and has continued to.

27 **MR. NEIL CHANTLER:** Thank you, Prime
28 Minister.

1 RT. HON. JUSTIN TRUDEAU: Thank you.

2 MR. NEIL CHANTLER: Thank you, Madam

3 Commissioner.

4 COMMISSIONER HOGUE: Thank you.

5 Attorney General.

6 --- CROSS-EXAMINATION BY/CONTRE-INTERROGATOIRE PAR

7 MR. FREDERICK SCHUMANN:

8 MR. FREDERICK SCHUMANN: Good afternoon,
9 Prime Minister. I have a few areas to cover. First of all,
10 I'd like to clarify what role you play, if any, in the CSIS
11 warrant application process.

12 First, as CSIS is preparing to apply for a
13 warrant, would you ever be briefed?

14 RT. HON. JUSTIN TRUDEAU: No.

15 MR. FREDERICK SCHUMANN: Have you ever seen a
16 CSIS warrant application?

17 RT. HON. JUSTIN TRUDEAU: No.

18 MR. FREDERICK SCHUMANN: And a Vanweenan
19 list, we've heard, can be a part of a CSIS warrant
20 application. So I think you've answered my question, but
21 I'll make extra certain, have you ever seen a Vanweenan list?

22 RT. HON. JUSTIN TRUDEAU: I have not. I
23 don't really even know what a Vanweenan list is, like most
24 people in this country. The Prime Minister doesn't have any
25 role in the issuance or processes around granting a CSIS
26 warrant. That is something that we are completely out of.
27 It is entirely the purview of the Minister of Public Safety.

28 MR. FREDERICK SCHUMANN: I think you've

1 probably also implicitly answered my next question, which is
2 do you have any information about who might be on any
3 Vanweenan list in a CSIS warrant?

4 **RT. HON. JUSTIN TRUDEAU:** Absolutely not.

5 **MR. FREDERICK SCHUMANN:** The next area is to
6 clarify who has the authority over certain actions that CSIS
7 may take.

8 First, my friend Mr. De Luca suggested that
9 you, the Prime Minister, could direct CSIS to carry out a
10 threat reduction measure. Is that correct? That you have
11 the authority to direct CSIS to carry out a TRM? And if not,
12 what role do you play?

13 **RT. HON. JUSTIN TRUDEAU:** No, I do not have
14 that role or authority. CSIS makes a determination of itself
15 and can and does regularly grant TRMs on its own initiative
16 and of its own initiative.

17 There have been situations where in
18 conversation with our National Security and Intelligence
19 Advisor, or perhaps the CSIS Director, I've suggested that a
20 TRM might be a useful tool to pursue in this particular case,
21 but that is not my authority to grant. It is direction that
22 they can choose or not choose to take. But it is a tool that
23 has proven useful in alerting people to the impacts and
24 dangers of foreign interference and I encourage its use
25 wherever necessary.

26 **MR. FREDERICK SCHUMANN:** Now I want to ask
27 about a slightly different CSIS action, which is the action
28 of providing a top-secret briefing to a political party

1 leader. I understand historically that wasn't something that
2 could happen, but the decision by the government to offer the
3 leaders top-secret briefings, to make that something that was
4 available for them, I believe you said that that was
5 something that you played a more direct decision or role in.
6 So can you contrast that authority from the TRM authority
7 that you just said belonged to CSIS?

8 **RT. HON. JUSTIN TRUDEAU:** Yeah. You know,
9 whether it's brief -- non-secure, unclassified briefings to
10 parliamentarians or defensive briefings, or TRMs, threat
11 reduction measures, these are all things that CSIS has all
12 the authorities necessary to choose to do when they feel it's
13 warranted as their course of operations and behaviours and
14 how they fulfil their responsibilities around keeping
15 Canadians safe.

16 The decision to grant clearances to the
17 leaders of political parties is a decision that needs to be
18 made by government itself, and in this case, by my
19 government, by me to a certain extent.

20 It is not something that happened often, if
21 ever, in the past, and one can imagine certain governments
22 not wanting to do it at all for opposition leaders or others.

23 But given the serious matter of foreign
24 interference and the impact and the anxiety, rightfully, that
25 Canadians feel about the actions of hostile state actors in
26 Canada, it seemed to me a responsible step to offer security
27 clearances to the leaders of the Parties in the House of
28 Commons.

1 **MR. FREDERICK SCHUMANN:** Thank you. So Prime
2 Minister, this Public Inquiry has happened at least in part
3 because there are questions about whether Canadians can and
4 should have confidence in important things like their
5 elections, the parliamentarians who represent them, and the
6 resolve and ability of their government to defend against
7 this threat of foreign interference in democratic processes.

8 From your perspective, from your experience,
9 can and should Canadians have confidence in their elections,
10 their parliamentarians, and their government's resolve? And
11 if so, why?

12 **RT. HON. JUSTIN TRUDEAU:** First of all, in
13 the matter of the integrity of the elections in 2019 and
14 2021, we actually created, for the first time in this
15 country, processes whereby top public servants and our
16 security agencies would monitor, and if necessary, go public
17 about threats to the election's integrity as a way of
18 ensuring that the election integrity holds.

19 And that is why we have heard repeatedly
20 throughout this process and over the last years testimony
21 from all top intelligence officials in this country that the
22 results of the 2019 and 2021 elections were determined by
23 Canadians, and by Canadians alone. That is a big thing for
24 Canadians to feel confident in. That despite attempts at
25 interference by foreign countries, Canadians decided the
26 outcomes of those elections.

27 Now, what this Commission has, I think,
28 further demonstrated is the depth and the extent to which

1 this government has taken seriously the responsibility of
2 protecting our institutions, our democracy, and indeed
3 Canadians from the actions of hostile state actors, from the
4 countries that have been named a number of times throughout
5 this process and others.

6 I think Canadians can see the extent to which
7 we have developed tools, we have created measures, we have
8 moved forward on initiatives that are all designed to protect
9 our democracy in a world in which the threats are increasing,
10 in which the impact of active authoritarian states is being
11 increasingly felt, in which democracy itself everywhere
12 around the world is under threat.

13 I think part of what this Commission has also
14 demonstrated is that for everything the Federal Government
15 can do, it is not alone in its responsibility to counter and
16 protect against foreign interference. As I mentioned earlier
17 with the UCC, diaspora communities have been stepping up
18 their tools in terms of sharing with their members how to
19 protect themselves against foreign interference.

20 Universities and businesses are working on that. And indeed
21 political parties, many of them have decided to get their
22 leaders briefed up so they can avail themselves of top-secret
23 information or secret information to ensure that they can
24 look Canadians in the eye and say the integrity of our
25 political party processes holds.

26 It is an ongoing effort and it will never be
27 enough. It is something we're constantly going to have to
28 update, renew, bring on new tools on, because the world we

1 are in is a complex and dangerous one. But our ability to be
2 thoughtful, reasonable, and responsible in developing those
3 tools to both protect our democracy and uphold the freedoms
4 and principles that make our democracy strong is something
5 this government works on and continues to focus on every
6 single day.

7 **MR. FREDERICK SCHUMANN:** Thank you, Prime
8 Minister.

9 Madam Commissioner, those are my questions.

10 **COMMISSIONER HOGUE:** Thank you.

11 Me Chaudhury, any questions in re-
12 examination?

13 **MS. SHANTONA CHAUDHURY:** No, merci, Madame.

14 **COMMISSAIRE HOGUE:** Non?

15 Alors, Monsieur le Premier Ministre, merci
16 beaucoup. Je pense que c'était votre dernière comparution
17 devant la Commission. Alors, merci pour le temps que vous y
18 avez consacré.

19 Je vais me retirer. I'm going to suspend just
20 for a few minutes. I would like counsels to stay in the
21 room. I have a few words to share with you.

22 Mais vous pouvez...

23 **RT. HON. JUSTIN TRUDEAU:** Si je peux aussi
24 vous remercier pour le travail que vous faites et tout le
25 monde qui fait le travail sur cette Commission. Ç'a été des
26 délais des fois comprimés et beaucoup de travail, beaucoup de
27 matériel que vous avez dû passer à travers, et du matériel
28 très délicat avec des implications pour la sécurité

1 nationale, et je pense que tous les Canadiens ont été très
2 bien servis par votre leadership, Madame la Commissaire.

3 **COMMISSAIRE HOGUE:** Merci.

4 **THE REGISTRAR:** Order, please. À l'ordre,
5 s'il vous plaît.

6 This sitting of the Commission is now in
7 recess until 4:20. Cette séance de la Commission est
8 maintenant suspendue jusqu'à 16 h 20.

9 --- Upon recessing at 4:11 p.m./

10 --- La séance est suspendue à 16 h 11

11 --- Upon resuming at 4:14 p.m./

12 --- La séance est reprise à 16 h 14

13 **COMMISSIONER HOGUE:** Sorry, there has been a
14 small misunderstanding. I was suspending just for a few
15 minutes just to tell you first of all, subject to the
16 Commission counsel following up on some of the questions that
17 have been objected to by the Attorney General, it was the
18 last testimony for the factual phase of the -- of our work.

19 And although I believe that you will all be
20 with us next week, I didn't want to take any risk and I
21 wanted to thank you all right now for all the work. And I
22 think you have done quite a lot of work in very, very
23 sometimes difficult circumstances. So I really, really
24 appreciate the collaboration the Commission received from all
25 of you. And although I expect you will be with us next week,
26 it was important for me to tell you that as of today.

27 Next week, we will be devoting the entire
28 week to the Policy Phase of the Commission's work and we will

1 have seven -- I'm counting, as you have learned, I'm not good
2 in counting. I think there is going to be -- yes, there will
3 be seven roundtables. There will be roughly a bit more than
4 35 experts. Various topics will be discussed. And as you
5 know, you're all invited to participate, to suggest
6 questions, and you know the way it will work. But I really
7 expect that you will all participate.

8 It will be very interesting, maybe
9 challenging, but, you know, we are quite numerous, so I
10 imagine at the end we'll be able to produce good
11 recommendations.

12 So thank you all.

13 **THE REGISTRAR:** Order, please. À l'ordre,
14 s'il vous plaît.

15 This last sitting of the Foreign Interference
16 Commission is adjourned. Cette dernière séance de la
17 Commission sur l'ingérence étrangère est maintenant
18 suspendue.

19 --- Upon adjourning at 4:17 p.m.

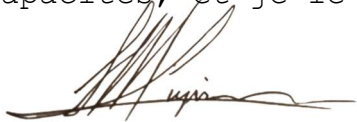
20 --- L'audience est ajournée à 16 h 17

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C E R T I F I C A T I O N

I, Sandrine Marineau-Lupien, a certified court reporter,
hereby certify the foregoing pages to be an accurate
transcription of my notes/records to the best of my skill and
ability, and I so swear.

Je, Sandrine Marineau-Lupien, une sténographe officielle,
certifie que les pages ci-hautes sont une transcription
conforme de mes notes/enregistrements au meilleur de mes
capacités, et je le jure.



Sandrine Marineau-Lupien